

ator from West Virginia [Mr. CHILTON], has been called home by illness in his family, and for that reason he is not present.

Mr. FLETCHER. Mr. President, I know that no business is in order. I think we ought to procure the attendance of absent Senators and we ought to proceed with the business of the Senate. It will be very near impossible to get through with the business necessary to be transacted at this session unless we have night sessions, and we might as well understand it and begin to-night. I am very much interested particularly in the river and harbor bill, and I hope to call up that measure at the very first opportunity.

Mr. KENYON. Mr. President, I make the point of order that no business is in order.

The PRESIDING OFFICER. The point of order is sustained. No business is in order.

Mr. WALSH. If it is in order, I desire to announce that the Senator from Delaware [Mr. SAULSBURY] is absent from the Senate on account of illness.

The PRESIDING OFFICER. Announcements of that kind are in order.

Mr. KENYON (at 7 o'clock and 25 minutes p. m.). I move that the Senate adjourn.

The PRESIDING OFFICER. The Senator from Iowa moves that the Senate adjourn. The question is on that motion.

Mr. SIMMONS. Mr. President—

Mr. KENYON. I will withdraw the motion if the Senator from North Carolina objects.

Mr. SIMMONS. I am communicating now with my colleague [Mr. OVERMAN] in reference to this matter, and I ask the Senator to withhold his motion.

Mr. KENYON. I withdraw the motion, but I shall renew it in a little while.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. MARTINE of New Jersey (at 7 o'clock and 30 minutes p. m.). Mr. President, it seems to me it is quite evident that we shall not be able to get a quorum, and it is rather foolish for us to sit here longer to-night, after all we have done during the day.

Mr. SIMMONS. Will not the Senator withhold his motion to adjourn until I can hear from the junior Senator from North Carolina [Mr. OVERMAN], who has charge of this measure? He will be here in a few moments. I think it is an act of courtesy that is due him.

Mr. MARTINE of New Jersey. I should like to show all reasonable deference to the Senator in charge of the bill, but he doubtless has gone away and is having his dinner, and in the meantime we are staying here without ours.

Mr. SIMMONS. I am sure that the Senator will be in the Chamber in a few moments. He is on his way here now.

Mr. MARTINE of New Jersey. Very well, I will bide my peace for awhile.

Mr. CURTIS and Mr. LEA of Tennessee entered the Chamber and answered to their names.

Mr. OVERMAN. Mr. President, I move that when the Senate adjourns it adjourn to meet at half past 10 o'clock to-morrow morning.

The PRESIDING OFFICER. The Senator from North Carolina moves that when the Senate adjourns it adjourn to meet at half past 10 o'clock to-morrow morning. Those in favor of the motion will say "aye"; contrary-minded, "no." The "ayes" have it, and the motion is agreed to.

Mr. MARTINE of New Jersey. I move that the Senate adjourn.

The PRESIDING OFFICER. The question is on the motion of the Senator from New Jersey that the Senate adjourn.

The motion was agreed to; and (at 7 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 20, 1917, at 10.30 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, February 19, 1917.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty and Everliving God, our Heavenly Father, let Thy spirit come mightily upon us, we beseech Thee, to quicken our minds and enlarge our scope of vision, to strengthen our faith and inspire larger hope and nobler aspirations; that we may make for righteousness in all the conditions of life, doing justly, loving mercy, walking humbly with Thee, our God and our Father. In His name. Amen.

The Journal of the proceedings of Saturday, February 17, was read and approved.

EXTENSION OF REMARKS.

Mr. WALSH. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. WALSH. To ask unanimous consent to extend my remarks in the RECORD by inserting a letter from my predecessor in Congress, setting forth certain resolutions adopted by his home town on Cape Cod.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The following is the letter referred to:

YARMOUTHPORT, MASS., February 16, 1917.

HON. JOSEPH WALSH,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I beg to advise you that at the annual town meeting of Yarmouth, held on February 13, the following resolutions were unanimously adopted:

"Resolved, That we, citizens of the town of Yarmouth, Mass., in town meeting assembled, indorse the action of the President of the United States of America in severing diplomatic relations with Germany.

"Resolved, That we, loyal citizens of the old town of Yarmouth, pledge to our President our undivided support in any course necessary to protect our flag and our citizens and maintain the rights of our country."

Former Congressman Thomas C. Thacher, chairman of committee; William N. Stetson, representative in Massachusetts House of Representatives; and T. W. Swift.

Faithfully, yours,

THOMAS C. THACHER.

JOURNAL OF SUNDAY, FEBRUARY 18.

The record of the Journal of Sunday, February 18, 1917, was read and approved.

LEAVE TO ADDRESS THE HOUSE.

Mr. TOWNER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. TOWNER. Mr. Speaker, I ask unanimous consent that on next Thursday, Washington's birthday, after the reading of the Journal and the reading of Washington's Farewell Address by the gentleman from West Virginia [Mr. NEELY] I be permitted to address the House for 30 minutes.

The SPEAKER. The gentleman from Iowa [Mr. TOWNER] asks unanimous consent that on next Thursday after the reading of Washington's Farewell Address he be permitted to address the House not exceeding 30 minutes. Is there objection?

Mr. SHERLEY. Reserving the right to object, it is not pleasant to object to this sort of a request. We have reached a point in the time of this session where we want to finish the work of Congress, and we will have to refrain from even taking 30 minutes on any day in the discussion of matters not relating to the business of Congress.

Mr. MANN. This is on the subject of Washington, not extraneous matter.

Mr. SHERLEY. I shall not object to this case to-day, with the understanding that it is just an address touching Washington's life. I do not want to open up a lot of discussion that may serve to waste a good deal of time.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. TOWNER]? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. BAILEY. Mr. Speaker, I ask unanimous consent for the extension of my remarks in the RECORD by printing a number of telegrams, letters, and resolutions that I have received relative to the pending international situation.

The SPEAKER. The gentleman from Pennsylvania [Mr. BAILEY] asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. O'SHAUNESSY. Mr. Speaker, I ask unanimous consent to have printed in the RECORD an editorial from the Providence Journal entitled "Mr. Moore on the press."

The SPEAKER. The gentleman from Rhode Island asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

There was no objection.

The following is the editorial referred to:

MR. MOORE ON THE PRESS.

Representative J. HAMPTON MOORE, of the third Pennsylvania district, a seasoned self-advertiser, has taken occasion twice within the last few days on the floor of the House to attack the press of the United States.

On Tuesday he quoted a series of charges by Representative CALLAWAY, of Texas, which were, in substance, that 25 prominent American newspapers have been paid by influential interests to advocate preparedness, and vehemently declared: "I want no dictation from Lloyd George, any more than from the Kaiser. I want no dictation from Lord Northcliffe, the head of the great newspaper fraternity of Great Britain and certain alliances in the United States, any more than from

Von Hindenburg." A correspondent elsewhere on this page vigorously and effectively characterizes this outburst of the Pennsylvania Congressman.

Two days later, on Thursday, Mr. MOORE was at it again. According to a dispatch from Washington, he "asserted that the press of the country was deliberately coloring the news from Europe so as to inflame the American people." And he added:

"I repeat the challenge to the majority of the House to introduce a resolution to prove whether or not the newspapers are actually subsidized, because it is due to what there is of honest journalism in the United States that the real facts be known with regard to this monstrous proposition to the taxpayers of this land and those whose blood must be let if we are to be driven into this fierce controversy across the sea."

In spite of Mr. MOORE's violent talk, the American people will not believe that the press of the United States is subsidized to advocate preparedness or purchased to shout for war. Self-restraint and a sober sense of their responsibilities are conspicuous qualities of the great body of American newspapers. Mr. MOORE makes a characteristic fling at the profession when he commends "what there is of honest journalism in the United States."

"What there is of honest journalism" in this country is the overwhelming mass of American journalism. We have cheap and irresponsible papers in America, as every country has them, but they are so few as to be noticeable exceptions to a general and wholesome condition.

It is unfortunate that the Representative from the third Pennsylvania district is not always as restrained and discreet in his public utterances as the representative, the unpurchasable, newspapers of the United States habitually are.

Mr. DAVIS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the problems of war and the possibilities of peace.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD on the problems of war and the possibilities of peace. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Crockett, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 19937) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. JOHNSON of Maine, Mr. HUGHES, and Mr. SMOOT as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 19239. An act granting the consent of Congress to the county of Pearl River, Miss., and the fourth ward of the parish of Washington, La., to construct a bridge across Pearl River between Pearl River County, Miss., and Washington Parish, La.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the joint resolution (S. J. Res. 205) authorizing the removal of the statue of Admiral Dupont in Dupont Circle in the city of Washington, D. C., and the erection of a memorial to Admiral Dupont in place thereof.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. JAMES P. CLARKE, late a Senator from the State of Arkansas.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On February 17, 1917:

H. R. 455. An act to define the rights and privileges of the trustees of municipally owned interstate railways and construing the act to regulate commerce with reference thereto;

H. R. 11288. An act for the relief of S. S. Yoder;

H. R. 8669. An act authorizing the Secretary of the Interior to extend the lease of certain land in Stanley County, S. Dak., for a buffalo pasture;

H. R. 17055. An act providing when patents shall issue to the purchaser or heirs on certain lands in the State of Oregon;

S. 5082. An act adding certain lands to the Missoula National Forest, Mont.;

S. 5632. An act for the relief of Aquila Nebeker; and

S. 6595. An act to reimburse William Blair for losses and damages sustained by him by the negligent dipping of his cattle by the Bureau of Animal Industry, Department of Agriculture.

On February 19, 1917:

H. R. 10697. An act for the relief of S. Spencer Carr;

H. R. 14074. An act granting the consent of Congress to the village of Fox Lake, in the county of Lake, State of Illinois, to construct a bridge across both arms of the Fox River where it connects Pistakee Lake and Nippersink Lake, at a point suitable to the interests of navigation, in the county of Lake, State of Illinois;

H. R. 17602. An act granting the consent of Congress to the county commissioners of Polk County, Minn., and Grand Forks County, N. Dak., to construct a bridge across Red River of the North on the boundary line between said States;

H. R. 18550. An act granting the consent of Congress to the county of Montgomery, in the State of Tennessee, to construct a bridge across the Cumberland River;

H. R. 18551. An act granting the consent of Congress to the county of Montgomery, in the State of Tennessee, to construct a bridge across the Cumberland River;

H. R. 18725. An act granting the consent of Congress to Kratka Township, Pennington County, Minn., to construct a bridge across Red Lake River; and

H. R. 20574. An act granting the consent of Congress to the county commissioners of Decatur County, Ga., to reconstruct a bridge across the Flint River at Bainbridge, Ga.

QUESTION OF PRIVILEGE.

Mr. MOORE of Pennsylvania. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

Resolution directing the appointment of a special committee to inquire into the charges contained in the statement made by the Hon. OSCAR CALLAWAY, a Member of Congress from Texas, and for other purposes.

Mr. GARNER. I object, Mr. Speaker.

Mr. MOORE of Pennsylvania. Mr. Speaker, I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. It is too late to discuss the question raised by the gentleman from Texas [Mr. GARNER].

The SPEAKER. The gentleman from Texas did not raise any question.

Mr. MOORE of Pennsylvania. The gentleman objected.

The SPEAKER. He objected flatly.

Mr. MOORE of Pennsylvania. He objected to unanimous consent. That is all right. The resolution affects the honor of the House, and the gentleman objected. That is the status.

The SPEAKER. What did the gentleman say?

Mr. MOORE of Pennsylvania. I asked unanimous consent for the consideration of a resolution which affects the honor of the House, and the gentleman from Texas [Mr. GARNER], I understand, objected.

The SPEAKER. The gentleman from Texas objected to the request of the gentleman made a while ago.

Mr. MOORE of Pennsylvania. Mr. Speaker, I shall press that resolution for a day or two, but meanwhile I rise to a question of privilege.

The SPEAKER. Is it a question of personal privilege, or the privilege of the House, or the highest privilege, or what?

Mr. MOORE of Pennsylvania. A question of privilege affecting the dignity and integrity of the proceedings of the House.

The SPEAKER. The gentleman will state his question.

Mr. MOORE of Pennsylvania. Also affecting the rights, reputation, and conduct of Members of Congress individually in their representative capacity only.

The SPEAKER. The gentleman will state his question.

Mr. MOORE of Pennsylvania. And in support of that question, in order to save time, I read from an editorial in the Washington Post of Saturday, February 17, which, amongst other things, said:

Mr. J. HAMPTON MOORE, Member of Congress from Pennsylvania, has attracted notoriety by a speech which he recently delivered in the House, in which he mingled pacifism and detraction, and repeated baseless charges against the integrity of the newspapers of the country.

Passing that, I read further:

Mr. MOORE has declared that he will demand an investigation of the charge that newspapers are subsidized. He has become sponsor for this charge. Let him press it. Let him name the newspapers that are bought by British or German gold—

And so forth.

Mr. GARNER. May I interrupt the gentleman?

Mr. MOORE of Pennsylvania. The gentleman may.

Mr. GARNER. I want to suggest to the Chair and to the gentleman from Pennsylvania that if he is now directing his remarks to the integrity of the proceedings of the House, that can only come in the form of a resolution to correct the RECORD and the Journal of the House. Whatever a newspaper may state can not affect the proceedings of this House.

The SPEAKER. That is true, but the gentleman also says it is a question of personal privilege.

Mr. MOORE of Pennsylvania. It is a question of privilege, and under Rule IX it affects the rights, reputation, and conduct of Members, individually, in their representative capacity.

I read the first editorial in order that the situation may be cleared up by the second one. In the Washington Post of this morning, February 19, is an editorial headed "Bogus Patriotism":

The exhibition now being made in Congress by self-appointed guardians of American patriotism is anything but creditable to their good sense or good Americanism. They charge that the newspapers are trying to drive the country into war. They assert that hundreds of letters are pouring in demanding that the country shall remain at peace. Thereupon they read a lecture on the horrors of war and the blessings of peace and roundly denounce those who insist that the Government shall prepare itself, so far as possible, for the defense of its rights by war.

I will cut a little of it out for the purpose of coming to the point.

No reputable newspaper in the United States has demanded war. The assertion that there is a cabal of newspapers bent upon forcing the Government into war is the feeblest counsel of cowardice that has yet been emitted. The press reflects public sentiment, by and large, and there can not be any question of the fact that the people will go to war rather than surrender fundamental rights.

I will pass that for a moment. I read further:

The people unquestionably expect that Congress and the Executive will take all proper precautions and not be caught napping in the event of war.

The cheapest sort of demagoguery is that which flatters the people and tries to make them believe that conspiracies are on foot which can only be thwarted by their brave and vigilant Representatives, the aforesaid demagogues.

Now, have I proceeded far enough to make this a question of privilege affecting the dignity of the House?

The SPEAKER. You have not. [Laughter.]

Mr. MOORE of Pennsylvania. May I continue further?

The SPEAKER. The Chair will explain to the gentleman that if it is a matter affecting the dignity of the House he ought to introduce a resolution. If it is a matter of personal privilege he is rising to, that is not necessary. Now, that matter that the gentleman has read may be unpleasant and all that sort of thing, but there is no resolution pending. But it does not say a word about the gentleman, so far as I can hear.

Mr. MOORE of Pennsylvania. It does speak about demagogues in the House, however. [Laughter.]

The SPEAKER. I know. [Renewed laughter.]

Mr. MOORE of Pennsylvania. And if any of the gentlemen put the boot on their foot they may wear it.

The SPEAKER. But the thing that the gentleman overlooks is that if he is raising a question of privilege affecting the dignity of the House he has to introduce a resolution. If it is a matter of personal privilege he does not have to introduce a resolution. But you have to have some substantial foundation for it. Now, if the gentleman has anything reflecting on him individually, the Chair will entertain it.

Mr. MOORE of Pennsylvania. Then, Mr. Speaker, I will undertake to answer as to personal privilege. In the Washington Star of yesterday, Sunday, February 18, appears a speech attributed to the gentleman from Wisconsin [Mr. LENROOT], in which this statement is made, the quotations being put on the gentleman from Wisconsin:

If I understand the views expressed by gentlemen—

The gentleman from Pennsylvania [Mr. MOORE] and some others—

If this shall come to pass—

That is to say, if this war shall come to pass—

We must do nothing.

"If our honor as a Nation is at stake," says the gentleman from Wisconsin, applying it to the gentleman from Pennsylvania [Mr. MOORE] and attributing motives to him—

We must do nothing.

That is a direct violation of the belief and of the motives of the gentleman from Pennsylvania and it is a reflection on his personal and his Representative honor. The gentleman from Wisconsin proceeds:

If this is to be the attitude of Congress and the American people, then the days of this Republic are numbered.

That is a very serious charge in connection with the motives of a Member of this House—

We will no longer be a nation, for any people too cowardly to fight for their liberty upon the sea, if need be, will be too cowardly to fight for their liberty upon the land.

I not only resent that statement as attributed to me and as imputing to me motives which I do not entertain, but I insist that that statement having gone broadcast, I am entitled to speak on it as a matter of personal privilege. I am neither too cowardly to fight, nor am I too cowardly to vote, as I have voted, for all proper measures of preparedness in this country, and—

Mr. SHERLEY. Mr. Speaker, I make the point that the gentleman has not stated a matter of privilege, and is out of order.

Mr. MOORE of Pennsylvania. I contend that this language constitutes a breach of personal privilege, and I demand the right to speak upon it.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] makes the point of order that there is no personal privilege involved in the language uttered. I wish the gentleman would read it over again—that part of it.

Mr. MOORE of Pennsylvania. "If I understand the views expressed by" the gentleman from Pennsylvania [Mr. MOORE] and some others "if this shall come to pass"—that is to say, the destruction of American rights and things of that kind—"if this shall come to pass, we must do nothing." That is not my position, Mr. Speaker.

Mr. SHERLEY. Mr. Speaker, I make the point that what the gentleman is quoting is the language of the gentleman from Wisconsin [Mr. LENROOT], delivered upon the floor, and that it can not be turned into a question of personal privilege simply because it is subsequently printed in a newspaper. The gentleman had his remedy, if there was need of one, at the time the gentleman from Wisconsin spoke, when he could have made the point that the gentleman was not in order and had the words taken down, and the House could then have passed upon it. But now to say that the reproduction of a speech made by a Member on the floor by a newspaper brings it into a question of personal privilege carries that doctrine further than I have ever known it to be seriously urged before.

The SPEAKER. Now the Chair will ask the gentleman from Kentucky a question: Does the fact that a Member neglects to have words taken down and acted on then and there prevent him from subsequently rising to a question of privilege about a statement made on the floor of the House?

Mr. SHERLEY. No; if the language of the Representative is such as to raise a question of privilege, the Member has a right to make a motion in connection with it, to move that it be stricken from the permanent RECORD, or to take any such action as that, but it can not be made the basis of an excuse for a speech on the subject matter. It must be accompanied by some formal proposal for the action of the House.

Mr. MOORE of Pennsylvania. Mr. Speaker, may I add a word—

Mr. GARNER. May I suggest to the Speaker that it occurs to me that the speech of the gentleman from Wisconsin [Mr. LENROOT] as it appears in the RECORD is the best authority on this matter? The Chair can determine from that whether there is anything in it that is calculated to give the gentleman from Pennsylvania the right to address the House on a matter of personal privilege. A mere conglomeration of reports in the Star about what was said on the floor of the House is not, it occurs to me, the best evidence as to whether it presents a question of privilege. The RECORD itself is the best evidence as to the right of the gentleman from Pennsylvania.

The SPEAKER. There is no question but that the RECORD is the best evidence.

Mr. MOORE of Pennsylvania. Mr. Speaker, I refer, if the Speaker pleases, to that portion of the speech of the gentleman from Wisconsin [Mr. LENROOT] which is woven around the gentleman from Pennsylvania [Mr. MOORE] and others, in which it appears—

The SPEAKER. If the gentleman will suspend, the Speaker will read the RECORD and see what it does say. Here is what the gentleman from Wisconsin [Mr. LENROOT] said—

Mr. MOORE of Pennsylvania. Mr. Speaker, before the Speaker rules, will he not listen to me for a moment?

The SPEAKER. I will. I want to read this so that the gentleman can predicate his action upon the official record.

Mr. MOORE of Pennsylvania. I am making the point of privilege on the strength of the publication in the Evening Star.

The SPEAKER. Yes; but suppose the Evening Star misquoted the gentleman from Wisconsin?

Mr. MOORE of Pennsylvania. Then the gentleman from Wisconsin is entitled to explain, as I am entitled to explain.

The SPEAKER. Well, we want to get it straightened out.

Mr. MOORE of Pennsylvania. If the gentleman from Wisconsin [Mr. LENROOT] did not attribute these sentiments to me, then that is for him to state on the floor.

The SPEAKER. Here is what the gentleman from Wisconsin said, and the general rule of construction is that a man means what he says:

Mr. Chairman, for once we seem to find the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from New York [Mr. LONPON] in absolute accord, for, as I gather from their arguments, they take the position that if Congress shall be called upon to take any action in this present international crisis that, because the executive branch of this Government has failed to maintain our rights against England with reference to property rights, we should refuse to vote to maintain our rights against Germany involving human life.

Now, if the gentleman wants to get rid of that declaration of the gentleman from Wisconsin [Mr. LENROOT] his proper mode is to move to strike it out.

Mr. MOORE of Pennsylvania. Mr. Speaker, it is absolutely untrue, so far as it relates to me. Only an hour or so before the gentleman from Wisconsin [Mr. LENROOT] spoke I had made a speech in which I said, following the speech of the gentleman from Nebraska—and this is the utterance of Mr. MOORE of Pennsylvania, not as interpreted by the gentleman from Wisconsin but as he himself spoke here on this floor:

I, too, insist that we should assert American rights upon the high seas, and especially in our dealings with neutral countries. I have supported measures in this House—every one of them, I believe—to prepare this country to assert its rights upon the high seas, but I want the rights of the United States upon the high seas asserted against every nation that interferes or tramples upon those rights.

[Applause.]

Now, the gentleman from Wisconsin [Mr. LENROOT] came in subsequently. I did not hear him make the statement, or it would have been challenged at once. The gentleman came in subsequently, changing his attitude from his vote on the McLeMORE resolution, when he voted against the President—

The SPEAKER. The gentleman from Pennsylvania stated to the Chair that he wanted to argue this question of order.

Mr. MOORE of Pennsylvania. Very well, Mr. Speaker, I do want to—

The SPEAKER. But the gentleman is not doing it.

Mr. MOORE of Pennsylvania. That the gentleman from Wisconsin [Mr. LENROOT] having made this false statement of the motives of the gentleman from Pennsylvania, the gentleman from Pennsylvania has a right to reply and give his reasons.

The SPEAKER. A reply is one thing and a question of privilege is another.

Mr. MOORE of Pennsylvania. Mr. Speaker, I insist under the rules that if a gentleman of this House is misrepresented in a newspaper, he has a right, if it affects his integrity as a Representative, to come upon this floor and as a matter of personal privilege, explain his position.

The SPEAKER. The rule is this: A newspaper can tell all sorts of things about a person, but if the charge is as to his conduct as a Member of the House, that makes it a question of privilege.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania be allowed to proceed for 10 minutes.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the gentleman from Pennsylvania be allowed to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Speaker—

Mr. ANDERSON. The gentleman from Wisconsin does not appear to be present. I object.

SEVERAL MEMBERS. Too late.

The SPEAKER. The Chair thinks that comes too late.

Mr. MOORE of Pennsylvania. Mr. Speaker, I do not intend to say a word about the gentleman from Wisconsin.

The SPEAKER. The gentleman will proceed for not exceeding 10 minutes.

Mr. ANDERSON. The gentleman from Wisconsin is present. I will not object.

The SPEAKER. The objection came too late, anyhow.

Mr. MOORE of Pennsylvania. Now, Mr. Speaker, I sent to the Clerk's desk a little while ago, for the second time, a resolution which proposes an investigation of certain charges made by the gentleman from Texas [Mr. CALLAWAY] as to the influences controlling certain newspapers of the country that have been advocating a foreign war.

Mr. GARNER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GARNER. The gentleman just got unanimous consent to address the House not exceeding 10 minutes on the theory that he desired to address the House on a question of personal privilege on a speech of the gentleman from Wisconsin [Mr. LENROOT].

Mr. MOORE of Pennsylvania. Mr. Speaker, I refuse to yield further. The gentleman is only consuming the 10 minutes that I have.

The Washington Post is one of the newspapers that has challenged Members of Congress in the last two or three days to investigate the Callaway charges. The charges have been made that certain large interests have influenced newspapers in this country to proclaim a war against Germany, and that they have been urging the President to come to Congress for a declaration of war. I suggested that there should be an investigation, because there has been a sudden change on the part of some of these great newspapers in regard to war conditions, which has given color to the charge that these certain influences are trying to drive the United States into a war that the majority of the people of this country do not want.

Witness this editorial in the Washington Post of 1916, a little over a year ago. This is the same paper that is to-day driving the country into war with Germany. Tuesday, January 4, 1916, it says:

GREAT BRITAIN'S ACTION A DECLARATION OF WAR AGAINST OUR COMMERCE.

In order that the readers of the Post may know how utterly unjust, illegal, and inconsistent Great Britain and her allies are in seizing vessels laden with noncontraband cargoes bound to either belligerent or neutral countries we quote from the official notes of the British foreign office as to the British position upon cases of precisely the same character of those in which the British foreign office to-day takes diametrically the opposite position of that which it held in former cases.

During the Boer War, when Lord Salisbury was asked to state the position of the British Government regarding shipments of foodstuffs, he said:

"Foodstuffs with a hostile destination can be considered contraband of war only if they are supplies for the enemies' forces. It is not sufficient that they are capable of being so used; it must be shown that this was in fact their destination at the time of the seizure."

Yet in 1914, through the infamous and inhumane order of council of August 20, even such foodstuffs were made contraband of war and were made subject to seizure by British vessels if consigned to any person in Germany, and even if moving to Germany through a neutral port.

The case in 1904, when Russia, a belligerent then, seized a cargo of flour and railway material consigned to private concerns in Japan, the opposing belligerent, brought out the positions of the United States and Great Britain upon that seizure in the clearest possible light, and is so conclusive that it leaves Great Britain not a particle of defense for its present unjust and tyrannical actions.

Lord Lansdowne then wrote to Mr. Choate, who at that time was ambassador to Great Britain: "The test appeared to be whether there are circumstances relating to any particular cargo to show that it is destined for military and naval use."

Let our readers note well that this cargo of flour and railway material was consigned to private concerns in a belligerent country, Japan, yet Lord Lansdowne stated that the test must be to show that it was destined for military and naval use.

The British Order in Council smashes that Lansdowne test which he set forth so clearly to Ambassador Choate. But let our readers follow Lord Lansdowne further in this same case: "His Majesty's Government further pointed out that the decision of the prize court of the captor in such matters, in order to be binding on neutral states, must be in accordance with the recognized rules and principles of international law and procedure."

In other words, the British Government refused to recognize any decision of a prize court that did not conform to the test as laid down and abide by the principle involved.

To-day the British Government cancels that test, wipes out international law and procedure, and declares that "Orders in Council" be supreme.

During this same Russo-Japanese war Theodore Roosevelt was President of the United States, John Hay was Secretary of State, and Joseph Choate was ambassador to Great Britain, and there is nothing upon the record to show that there was any difference of opinion of these officials as to the rights of neutrals to sell foodstuffs to belligerents, and surely not to neutrals.

This is what John Hay said to Russia upon that point, and it may be taken as granted that Theodore Roosevelt, as President, approved the note:

"When war exists between powerful states it is vital to the legitimate maritime commerce of neutral states that there shall be no relaxation of the rule, no deviation from the criterion for determining what constitutes contraband of war lawfully subject to belligerent capture, namely, warlike nature, use, and destination. Articles which, like arms and ammunition, are by their nature of self-evident use are contraband of war if destined to enemy territory; but articles like coal, cotton, and provisions, though if ordinarily capable of warlike use, are not subject to capture and confiscation unless shown by evidence to be actually destined for the military or naval forces of a belligerent."

If the principle which appears to have been declared by the Vladivostok prize court, and which has not so far been disavowed or explained by His Imperial Majesty's Government, is acquiesced in, it means, if carried into full execution, the complete destruction of all neutral commerce with the noncombatant population of Japan: it obviates the necessity of blockades; it renders meaningless the principles of the declaration of Paris set forth in the Imperial order of February last that a blockade in order to be obligatory must be effective; it obliterates all distinction between commerce in contraband and non-contraband goods, and is in effect a declaration of war against commerce of every description between the people of a neutral and those of a belligerent state.

Let our readers note that these words of Theodore Roosevelt and John Hay were as against Russian seizure of foodstuffs consigned to private concerns in Japan, at war with Russia at that time.

What would have been the words of those men if Russia had seized hundreds of vessels and cargoes bound to neutral ports? Does any American think they would have fled protest and protest and protest without any redress to our shippers?

Does not John Hay speak the truth when he declared that Russia's action in seizing the cargo of foodstuffs bound to Japan, a belligerent, was "in fact a declaration of war against commerce of every description between the people of a neutral and those of a belligerent state"?

Then what is it when Great Britain and France seize neutral vessels laden with foodstuffs bound from neutral states to neutral states? Is the United States and its President to be treated as Greece and is King is being treated? Is this country ready to be treated as an African or Asiatic dependency by the allies?

"He that would be free himself must strike the blow" applies to nations as well as individuals.

Why the change since January 4, 1916? This investigation committee might find out.

Mr. GARDNER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I do not. On January 5, 1916, the same Washington Post that now wants war with Germany, under the heading of "Starvation of civilians—A most barbarous form of warfare," in the first column of the editorial page, carried an intensely vigorous anti-British editorial, in which, amongst other things, it said:

Whatever sympathy was won by Great Britain and France through their somewhat awkward attempts to pose as champions of neutrality in the case of Belgium has been lost by their conduct in Greece, their disregard of Chile's neutrality, their "unjust, illegal, and indefensible" practices under the "orders in council" against our neutral country and the neutral and peaceful countries of Holland and Scandinavia.

Why this startling change on the part of the editor of the Post within one brief year? On Friday, January 7, 1916, on the first column of the editorial page, under the caption "It is a question of American rights," the same Washington Post, in another editorial, which I can not read in full, but speaking of the markets of the world, which we are supposed to be free to enter, says:

They are not open to our customers, our legal, anxious, neutral customers, in any of the peaceful nations named, and those countries are blocked and limited in their purchases from this country by reason of British diplomatic work, backed by British navalism, and the Senator from Massachusetts should not have neglected to place this important fact before the Senate and the American people.

Mr. GARDNER. Now, will the gentleman yield?

Mr. MOORE of Pennsylvania. No. Why this change in the course of one year? On January 10, 1916, in the second column of the editorial page, the Post, under heavy headlines, demands full freedom of the seas to our nationals and our commerce, and states, somewhere here down at the bottom of it, this:

There may be some blue-light Federalists still in the United States, men as blindly loyal to British traditions as the old Jacobites who a century after the revolution of 1688 were filling up their cups and drinking toasts to "the King across the water," but they can not prevent the people of the United States from forcing Great Britain back to its proper position under international law.

The people of the United States handled both Federalists and the British Government with greatest success in 1812, and they can do it again.

Now that negotiations with Germany have almost reached a successful conclusion, President Wilson's task is much simplified, and he can give his undivided attention to bringing the allies to a sense of their proper respect for international law and the rights of this Republic and its people.

Mr. Speaker, why this change?

Mr. GARDNER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. No; I can not.

Mr. GARDNER. Does not the gentleman know that John R. McLean is dead?

Mr. MOORE of Pennsylvania. On January 12, 1916, this same Washington Post, that now, with some of the other great newspapers, wants war with Germany, in the first-column editorial, entitled "A world trade monopoly England's avowed object," had this to say:

The United States has been marvelously patient in the face of grievous injury to its peaceful commerce by the power that happens to have control of the seas. It would not be so patient if the temporary injuries and stoppages were made permanent. It will never take its orders from London. An attempt to dominate American trade in that fashion would necessarily result in war.

A monopoly of trade! So that is the ambition of the British; that is the noble motive that inspires this war; that is the animus against Germany; that is the splendid cause for which "Great Britain is fighting America's battles!"

There is no danger, from present prospects, that Great Britain will so crush her enemies as to be able to rob them of their trade; but if there were danger of it, there would be added reason for the United States to arm itself for battle, for its turn would come next.

Oh, you Americans who think about running into this European war, consider what the Post said January 12, 1916. Why the change?

Mr. GARDNER. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. No.

Mr. GARDNER. Do you not know that John R. McLean is dead?

Mr. MOORE of Pennsylvania. Mr. Speaker, on Tuesday, January 18, 1916, when it was afraid of Great Britain and the

Post was apparently telling the truth under the heading of "Great Britain's attempt to dominate the high seas," it said:

We find it difficult to believe that the great democratic people of the New World will allow their influence to be used to disarm the democratic peoples of the Old World in their struggle for liberty against military dominations—says the Westminster Gazette, of London.

How about the struggle of the democracies of the New World against naval dominations?

The world is dominated not so much by German militarism as by British navalism.

The United States does not propose to be dominated by either.

Do you get that, my friend from Massachusetts? [Laughter.]

Mr. GARDNER. Does the gentleman yield? Does he not know that John R. McLean is dead?

Mr. MOORE of Pennsylvania. Oh, Mr. Speaker, what is the use of going on further with this? There are numerous such editorials as of 1916. Have I shown enough to prove the change of attitude in one brief year on the part of one great newspaper of the United States? Does it not suggest that there may be a reason for the change?

Mr. GARDNER. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. No.

Mr. GARDNER. Does the gentleman not know that John R. McLean is dead?

Mr. MOORE of Pennsylvania. Here is an editorial from one of the great newspapers that wants the truth told. Here is an editorial entitled, "They Dare Not Investigate." Let me quote from the Chicago Tribune of February 16, 1917, only a day or two ago:

THEY DARE NOT INVESTIGATE.

There is one worthy measure before Congress which has even less chance of passing than a proper Army bill. It is a resolution to investigate the ownership of newspapers to find out if any of them have been acquired in the interest of foreign Governments to sway public opinion for the benefit of those Governments against the interests of the United States.

Nothing is more probable than that this should be so. Newspapers are property and can be bought and sold. Buying the editorial service of a newspaper and buying the newspaper itself are two very different things. Men who would scorn to take money for editorial expression would not hesitate to sell their properties. Few, indeed, are the newspaper properties which would not be sold at a sufficient price, and unlimited are the funds to buy them, and unlimited the needs of all the warring nations for friendly publicity in the United States. Hence it is more than likely that there are newspapers in the United States which now belong to alien Governments and are being conducted in their behalf.

Congress will not investigate, however. Congressmen, smarting under merited criticism, will charge newspapers, both singly and collectively, with treasonable motives, but the majority party of Congress will not investigate the ownership of newspapers for the same reason it objected to the investigation of the "leak" of the President's message—namely, for fear that it will find something.

For years there has been on the statute books a law requiring the publishing of the actual ownership of newspapers, and for an equally long time the administration has failed to enforce this law. An investigation of the ownership of newspapers might not only bring to light some interesting concealed ownerships but might prove also that the administration permitted the evasion of the law in return for political support. There will be no investigation.

Mr. Speaker, to-morrow and on the day after I shall renew my request for the passage of this resolution to investigate the story of the gentleman from Texas. [Applause.]

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. GARDNER. Mr. Speaker, I ask unanimous consent for one minute in which to reply.

Mr. KITCHIN. Mr. Speaker, I want to notify the House that I am going to call for the regular order immediately after that one minute.

Mr. HENSLEY. Mr. Speaker, I object.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent for one minute and the gentleman from Missouri objects.

Mr. GARDNER. Does the gentleman from Missouri really object?

Mr. HENSLEY. Yes.

Mr. GARDNER. Does he think it fair—

The SPEAKER. The gentleman from Missouri objects, and that is the end of it.

Mr. KITCHIN. Mr. Speaker, I demand the regular order.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. This is unanimous-consent day, and the Clerk will call the first bill.

FORT PECK INDIAN RESERVATION.

The first business on the Calendar for Unanimous Consent was the bill (S. 5612) providing additional time for the payment of purchase money under homestead entries of lands within the former Fort Peck Indian Reservation, Mont.

Mr. HAMILT rose.

The SPEAKER. For what purpose does the gentleman from New Jersey rise?

Mr. HAMILL. To ask for the present consideration of Senate joint resolution 201, which has passed the Senate, a similar resolution having been unanimously reported to the House from the Committee on Foreign Affairs.

Mr. GORDON. Mr. Speaker, I object.

Mr. HAMILL. Does the gentleman object?

Mr. GORDON. I do object. [Cries of "Regular order!"]

The SPEAKER. Is there objection to the consideration of the bill which the Clerk will report?

The Clerk will report the first bill.

The first business in order on the Calendar for Unanimous Consent was the bill (S. 5612) providing additional time for the payment of purchase money under homestead entries of land within the former Fort Peck Indian Reservation, Mont.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object—

Mr. TAYLOR of Colorado. The gentleman from Montana will explain—

Mr. STAFFORD. Last unanimous-consent day I asked that this bill be passed over, because as it is now phrased any entryman upon the Fort Peck Indian Reservation upon the payment of one-fifth of the original purchase price would be privileged to have all the subsequent installments deferred for eight years upon merely payment of interest at 5 per cent. I do not consider that a private owner would permit his land to be used for eight years upon the mere payment of interest at the rate of 5 per cent on the purchase price, and then at the termination of that time allow perhaps the entryman, after he may have exhausted all the virtue of the soil, to deliver up the land. I do not see how any person can subscribe to a principle as enunciated in this bill. It is merely putting a premium upon the exploitation of the public domain, particularly upon the lands of the Indians. I would like to have some explanation from the Committee on the Public Lands, who seek to safeguard their interests, how they could report any such bill as this, which would grant the privilege of deferring the payments, save the initial one, until eight years afterwards by merely paying an annual interest of 5 per cent on the deferred installments.

Mr. TAYLOR of Colorado. I will say to the gentleman from Wisconsin it seems to me he misconstrues the purpose of the bill. It is very fully explained in the Secretary of the Interior's letter.

Mr. STAFFORD. I not only read the Secretary's letter once, but I have read it twice, so I would be certain I did not misconstrue it, and I will go further by saying the committee does not follow the recommendations of the Secretary of the Interior, who only recommends an extension for seven years, whereas the committee recommends eight years. Now, will the gentleman explain that feature?

Mr. TAYLOR of Colorado. I will yield to the gentleman from Montana, in whose district this is.

Mr. EVANS. Mr. Speaker, this bill comes from the Senate. The original provision provided for deferred payments on one-half of the installments. It was at the instance of the Secretary of the Interior that the proposition of deferred payments on one-half was stricken out. Why he made the recommendation I do not know. Personally I think that clause should remain in the bill. The Public Lands Committee of the House should not be taken to task because they did not follow the recommendation of the Secretary, perhaps because the recommendation of the Secretary was made to the Senate and the Senate put in eight years and the Public Lands Committee doubtless followed the recommendation of the bill as it passed through the Senate. Perhaps it would meet the objection of the gentleman from Wisconsin if we would resubstitute the proposition and allow the deferred payments of one-half of the annual amount, and if so I would offer an amendment to line 1, page 2, after the word "pay" add the words "one-half of any", which would make it read "may obtain extensions of time within which to pay one-half of any installments of purchase money."

Mr. STAFFORD. Personally I do not think it is good business policy to extend the additional installments of the purchase money of our public lands, especially in such a way as is embodied in this bill.

Mr. FERRIS. Will the gentleman yield?

Mr. STAFFORD. I will yield.

Mr. FERRIS. As the gentleman from Wisconsin knows, I have come here many times asking similar relief for the citizens of my State, and if the gentleman will let me make a statement that would, I think, appeal to him. It usually works out this way. A piece of Indian land is opened for disposition; if it were public land they would pay nothing for it, but as it is Indian land they are compelled first to bid for it by com-

petitive bids, or they enter their bids pursuant to an appraised price fixed by the Government. This is what happens. The people who buy these lands can only buy tracts of 160 acres. The homesteaders are necessarily and uniformly poor, and the first thing they have to do is to build a fence, build a little shack to live in, and plow and wrestle with the wild sod land until it becomes productive. Now, these payments fall due. It is just impossible to make payments, and they have to have a little encouragement from the Government by giving them extensions of time to make the payments. It does the Indian no injustice because the settler pays 5 per cent interest, and that is all that he ought to pay. This bill ought to pass. These settlers need the relief. It does no one any harm.

Mr. STAFFORD. Is the gentleman defending the principle of this bill by permitting the entryman to be privileged to defer all payments for eight years after the initial payment by paying merely 5 per cent interest a year?

Mr. FERRIS. It may be better in some instances to make them pay one-fifth, but what happens in nearly every case is this: The settler finds that he must mortgage his land, and he can not mortgage it until he makes final proof. If he owes a thousand dollars on his homestead, he goes and probably borrows \$1,200, \$1,000 to go to make his payment and the \$200 to have a little surplus to run another year. Then he has to wrestle and run along for the next year. But if he makes these payments promptly when due and keeps up his homestead as he has to do it results in taking the land away from the first homesteader and letting the succeeding homesteader get it.

Mr. STAFFORD. But I can not subscribe to any principle as embodied in this bill as will permit any person entering upon the public domain and pay one-fifth of the purchase price, and live on the land for eight years by paying 5 per cent on the deferred installments. I am seeking not to put a premium upon these entrymen in abandoning their homesteads after utilizing the land for eight years. The gentleman can not conceive of an instance of any private owner granting such liberal provisions as are embodied in this bill, paying one-fifth of the purchase price, and then allowing him to have an option for eight years when paying only 5 per cent on the balance of the payment.

Mr. FERRIS. Wait a minute. I can give the gentleman a number of instances.

Mr. EAGLE. Mr. Speaker, I call for the regular order.

The SPEAKER. The gentleman from Texas demands the regular order. The regular order is, Is there objection?

Mr. STAFFORD. If the regular order is demanded, I object.

Mr. FERRIS. Will the gentleman withhold it for a moment?

Mr. EAGLE. I will gladly withhold it at the request of the gentleman from Oklahoma.

Mr. FERRIS. One of the things I think the gentleman from Wisconsin has overlooked is that no title is given until payment is made. This renders it perfectly safe to the Indians, to the Government, and everybody. They need it.

Mr. NORTON. Will the gentleman yield just a moment? This should be borne in mind: These entrymen shall actually reside on the land for seven months in the year, and they may make a three-year proof upon the land. Now, I will ask the gentleman how long, under the present homestead law, can they hold this land after making entry and establishing their residence? I do not imagine they can hold the land for eight years.

Mr. FERRIS. They probably could not.

Mr. NORTON. They must make proof for eight years.

Mr. STAFFORD. They could, under this law, hold the land until the end of the eight years' period. I am objecting only to the idea of allowing a person to go upon these lands and paying one-fifth of the purchase price, and then permitting the balance of deferred payments to continue over a period of eight years.

Mr. FERRIS. I do not insist on that. I have no doubt the gentlemen from Montana [Mr. EVANS and Mr. STOUT] will accept an amendment if the gentleman will offer it. All over the United States the building associations exact but a small payment.

Mr. STAFFORD. The building and loan associations are not the Government. There is no precedent like this ever heretofore established—that is, as broad as this.

Mr. FERRIS. It has been—

The SPEAKER. Is there objection?

Mr. FERRIS. Will the gentleman accept this?

Mr. STAFFORD. If the gentleman will insist on it in conference.

Mr. FERRIS. If the gentleman insists on it, we, of course, will do our best to hold it.

Mr. NORTON. Will the gentleman yield for a moment? Mr. Speaker, I would like to suggest this: That when proof is

made upon these homesteads the entire amount should be paid at the time of proof, whether it is final proof or commutation proof.

Mr. STAFFORD. Read the letter of the Secretary of the Interior and you will see that he may still do that under the terms of this bill.

Mr. NORTON. What is the objection of the gentleman if the proof is made when the payments are made?

Mr. STAFFORD. I do not think it is good business policy to allow a stranger to enter upon another person's land and utilize it for nine years upon paying merely one-fifth of the purchase price, and have the other installments deferred until nine years upon paying 5 per cent.

Mr. NORTON. Under the suggestion I make, the entryman could not hold the land for more than five years, because he is required under the present homestead law to submit proof within five years.

Mr. STAFFORD. Under the explanation of the Secretary of the Interior he will be privileged, if this becomes a law, to hold until the end of eight years.

Mr. FERRIS. I am telling the gentleman what the law is.

Mr. NORTON. The Secretary suggests that the payment might be extended at the time the proof was submitted. I suggest that the bill be so changed that all the payments are made when the proof is submitted. It now provides in case of commutation proof all the payments shall be made.

Mr. FERRIS. The gentleman from Wisconsin is objecting to that?

Mr. NORTON. The gentleman would not object if all the payments are made when the proof is made?

Mr. STAFFORD. I say make it mandatory.

Mr. NORTON. That is not what the gentlemen want. They want it deferred until eight years.

Mr. FERRIS. We will accept the amendment if the gentlemen insist upon it. Some relief is needed, and we must get something through.

Mr. MANN. Reserving the right to object, do not all the gentlemen think that the interest payment on extensions ought to be made annually?

Mr. FERRIS. I do. We can so amend it when it is considered.

Mr. MANN. This does not provide that. In line 12, on page 2, would the gentlemen interested be willing to strike out, at the end of the line, the words "at or" and insert the word "annually" in place of them, so it would read that "interest payments must hereafter be made annually"?

Mr. FERRIS. The committee would be very glad to accept that.

Mr. MANN. So that it would read, "the interest payments shall be made annually."

Mr. FERRIS. Yes.

Mr. MANN. I do not make this as any condition. I was going to move to strike out section 2.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, with the understanding that the gentleman is going to offer an amendment, I have no objection.

The SPEAKER. The Chair hears none. The Clerk will report the bill.

Mr. FERRIS. Mr. Speaker, this bill is on the Union Calendar. I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. GARDNER. I object.

Mr. MANN. I hope the gentleman will not insist. If we get into the Committee of the Whole on this bill, we will have all afternoon in the Committee of the Whole.

Mr. GARDNER. I will not object if I am allowed five minutes to answer the gentleman from Pennsylvania [Mr. MOORE].

Mr. FERRIS. I ask unanimous consent, Mr. Speaker, that the gentleman from Massachusetts [Mr. GARDNER] may have five minutes.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the gentleman from Massachusetts may have five minutes. Is there objection?

Mr. MANN. And then let the bill be considered in the House as in Committee of the Whole.

Mr. STAFFORD. Reserving the right to object, does not the gentleman from Massachusetts think the gentleman from Pennsylvania [Mr. MOORE] should be on the floor when he makes his remarks?

Mr. GARDNER. The gentleman may object or not.

The SPEAKER. Is there objection?

Mr. KING. I object, but only to have Mr. MOORE on the floor. Mr. FERRIS. Only to get him in?

Mr. KING. Yes.

Mr. GARDNER. I am not going to attack Mr. MOORE.

The SPEAKER. Is there objection to the request that this bill be considered in the House as in Committee of the Whole?

Mr. GARDNER. I must object. I must have a chance to debate, and the only way I can get it is by going into Committee of the Whole.

Mr. FERRIS. Will the gentleman from Massachusetts withhold a moment?

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that pending this request—

Mr. MANN. Coupled with it—

The SPEAKER. Coupled with the request is the request that the gentleman from Massachusetts [Mr. GARDNER] be allowed five minutes. Is there objection?

Mr. KING. Reserving the right to object, I wanted to ask the gentleman from Massachusetts if he intended to say anything in regard to Mr. MOORE whereby he ought to be present?

Mr. GARDNER. I have never in my life in this House alluded to a man without having him present, with the single exception of Mr. Hopkins of Kentucky some years ago, when I was forced to do it.

The SPEAKER. Is there objection to this bill being considered in the House as in Committee of the Whole on the condition that the gentleman from Massachusetts [Mr. GARDNER] shall have five minutes now?

There was no objection.

The SPEAKER. The gentleman from Massachusetts is recognized.

Mr. GARDNER. Mr. Speaker, I am in favor of the resolution offered by the gentleman from Pennsylvania [Mr. MOORE]. But it ought to be amended so as to allow both sides of this newspaper question to be investigated.

I hold in my hand an editorial from the Milwaukee Journal of February 14, 1917, a few days ago. It is headed "Their danger increases." This is a very serious charge made by the Milwaukee Journal. I read:

The Sheboygan Herald and other pro-German organs can not understand that most American newspapers are American. It is not surprising, therefore, that these organs of Germany talk of American newspapers "bought up by the allies" and by Wall Street and the munition makers, or that they charge that these influences sway the course of officers of the United States Government.

This makes it pertinent to point to the fact that the only known cases of corruption of the American press in connection with the world war involves publications established or reestablished since the war began. These publications have invariably espoused the cause of Germany against that of the United States and have received German money for doing so. Moreover, the only American correspondents who are known to have been corrupted with foreign money, in return for "coloring their reports," succumbed to offers of German money. The number of American journalists known to have been bribed in this way is small. The number of those tempted with German money is larger. These are facts. The Journal gives its assurance that they can be depended upon. It has in its possession photographic copies of checks and other evidence to establish these facts. It may publish some of this evidence in the near future.

Now, Mr. Speaker, if you are going to have an investigation, you must draw that resolution in such a way as to investigate both sides. I understand the gentleman from Pennsylvania agrees to that.

Mr. MOORE of Pennsylvania. He thoroughly agrees to that.

Mr. GARDNER. I ask unanimous consent, Mr. Speaker, to put this whole editorial from the Milwaukee Journal in the RECORD.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks as indicated. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. GARDNER. Yes.

Mr. MOORE of Pennsylvania. I thoroughly agree with the gentleman from Massachusetts [Mr. GARDNER], that if there is foreign interference with American newspapers by any country it should be included in the investigation; if the Germans are buying up American newspapers or controlling American newspaper sentiment, that is just as reprehensible as if the English were doing it.

Mr. GARDNER. I ask unanimous consent, Mr. Speaker, to extend my remarks.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Following is the entire editorial referred to:

[From the Milwaukee Journal, Feb. 14, 1917.]

THEIR DANGER INCREASES.

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prising, therefore, that these organs of Germany talk of American newspapers "bought up by the allies" and by Wall Street and the munition makers, or that they charge that these influences sway the course of officers of the United States Government.

This makes it pertinent to point to the fact that the only known cases of corruption of the American press in connection with the world war involve publications established or reestablished since the war began. These publications have invariably espoused the cause of Germany against that of the United States and have received German money for doing so. Moreover, the only American correspondents who are known to have been corrupted with foreign money, in return for "coloring their reports," succumbed to offers of German money. The number of American journalists known to have been bribed in this way is small. The number of those tempted with German money is larger. These are facts. The Journal gives its assurance that they can be depended upon. It has in its possession photographic copies of checks and other evidence that establish these facts. It may publish some of this evidence in the near future.

Those newspapers, propagandists, and alien organizations which, parading under the guise of Americanism, have been serving Germany by fostering disloyalty among citizens of this country, may soon find themselves in what would be, to say the least, a very embarrassing situation. Their words and plots and acts constitute a record that damns them, and they may safely take it for granted that their record is not only officially known but officially preserved. Should our Government, which has been most patient with trouble makers at home, can use the power of a strong arm swiftly and surely. For what is now only disloyalty would in a state of war at once become sedition and treason. Those whose words and deeds have placed themselves in the black record already made up would be subject to summary arrest and punishment should they go on in the old way a moment after the outbreak of war. If to anything they might then do or say were added what they have said or done, the chain of evidence of their alien spirit and purpose would be clear and complete.

From every point of view, including that of their own interest, it is high time for agents of disloyalty to cease their attempts to stir up the rank and file of German-American citizens against the Government of their country. It has already been demonstrated that they can not possibly succeed in tainting the loyalty of any considerable number of these citizens. The only result of further activity in the cause of alienism will be to get themselves into serious trouble from which escape will be difficult.

The SPEAKER. The Clerk will read.
The Clerk read as follows:

Be it enacted, etc., That any person who has made or shall make homestead entry under the act approved May 30, 1908 (35 Stats., p. 558), entitled "An act for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana," etc., may obtain extensions of time within which to pay installments of purchase money, which have become due and are unpaid or which will hereafter become due by paying to the register and receiver of the land office for the district in which the lands are situated interest in advance on the amounts due and for the period of the desired extension at the rate of 5 per cent per annum, and any payment so extended may at its maturity be again extended in like manner: *Provided*, That payment of interest on installments now due must be made in order to secure the extension; interest payments must hereafter be made at or before the maturity of the payments to be extended, and no payment will be postponed for more than eight years from the date of entry nor will any extension be made for less than one year: *Provided further*, That if commutation proof is submitted all the unpaid payments must be made at that time.

SEC. 2. That in case any entryman fails to make the payments, or any of them, when due, unless the same be extended, or to make any extended payment at or before its maturity, unless it is again extended, all rights in and to the land covered by his entry shall cease and any payments theretofore made shall be forfeited and the entry canceled.

SEC. 3. That moneys paid as interest, provided for herein, shall be deposited in the Treasury to the credit of the Fort Peck Indians, the same as moneys realized from the sale of the lands.

Mr. MANN. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 1, line 8, after the word "Montana," strike out the words "and so forth" and insert in lieu thereof the following: "and the sale and disposal of all the surplus lands after allotment."

Mr. MANN. That is simply to conform to the proper title.

Mr. FERRIS. The committee accepts that, Mr. Speaker.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MANN. I offer a further amendment.

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 2, line 11, after the word "made," strike out the words "at or" and insert the word "annually."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MANN. Mr. Speaker, at the proper time I want to strike out section 2.

Mr. FERRIS. I think the gentleman from Wisconsin [Mr. STAFFORD] has an amendment to section 1.

Mr. STAFFORD. I move to amend, on page 2, in line 1, by inserting after the word "pay" the words "one-half of any."

The SPEAKER. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 2, in line 1, by inserting after the word "pay" the words "one-half of any."

The amendment was agreed to.

The committee amendment was agreed to.

Mr. MANN. Mr. Speaker, I move to strike out section 2.

Mr. FERRIS. I have no objection to that.

Mr. MANN. Section 2 provides for the forfeiture of all the payments which the entryman has made if he fails to make some payment. In other words, if the entryman should pay all the payments except the last one and then should die, leaving a widow and children, and they were unable, either because of estate matters or something else, to make the final payment, all of the payments would be forfeited. I do not believe the Government ought to forfeit payments unless it is done deliberately, knowing what the facts are.

Mr. FERRIS. Mr. Speaker, I think the gentleman from Illinois is entirely right about it, because this is what would happen. If a case of that kind should arise the parties interested would come to Congress and ask the passage of a special bill for their relief, and everyone would be willing to pass it. This will obviate the necessity of that.

The SPEAKER. The question is on the motion of the gentleman from Illinois [Mr. MANN] to strike out section 2.

The motion was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

STOREHOUSE AT BENICIA ARSENAL, CAL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 762) providing for the construction and equipment of a storehouse at Benicia Arsenal, State of California.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER. The gentleman from Wisconsin objects. The bill is stricken from the calendar.

Mr. RAKER. I ask unanimous consent that it retain its place on the calendar and be passed over to-day.

The SPEAKER. The gentleman from California asks to pass this bill over without prejudice. Is there objection?

Mr. MANN. Reserving the right to object, how many times has the bill been on the calendar?

Mr. RAKER. I do not know. This is the first time I have asked that it remain on the calendar.

Mr. MANN. I shall have to object. I think a bill that has been on the calendar once, that is objected to now, if it stays on the calendar at all, ought to go to the foot of the calendar and not stop at the top of the calendar.

The SPEAKER. The gentleman from Illinois objects. The Clerk will report the next bill.

SETTLERS ON UNSURVEYED RAILROAD LANDS.

The next business on the Calendar for Unanimous Consent was the bill (S. 1792) for the relief of settlers on unsurveyed railroad lands.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. Cox). Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, since this bill was under consideration the gentlemen interested have furnished a more elaborate report, which gives a better understanding of the real purpose of the bill. I wish to inquire whether the Northern Pacific Railway Co. have not some rights in these lands which would be the basis of a claim in the Court of Claims against the Government in case this bill is passed? As I understand this bill, it privileges homesteaders who have entered upon odd-numbered sections of land-grant lands of the Northern Pacific Railway Co. to obtain patents to those lands, and it grants, in turn, to the Northern Pacific Railway Co. the right to accept lieu lands. My objection is not only to the fact that I do not wish to have the Government incur an obligation, so far as the Northern Pacific Railway Co. is concerned, but I also want to know whether the lieu lands that might be obtained would not be of greater value than the land which the company surrenders? There is nothing in this bill which says they shall be of approximately the same value, which is the language generally used when lieu lands are accepted.

Mr. FERRIS. Will the gentleman yield to the gentleman from Washington [Mr. LA FOLLETTE], who is very familiar with this, as is also the gentleman from Washington [Mr. JOHNSON]?

Mr. LA FOLLETTE. Mr. Speaker, this is simply an amendment to a law that is already on the statute book covering the same kind of cases. When that law was passed it ran down to a certain date, and it was supposed that all those lands would be surveyed soon after that time; but it has run on now for many

years, and the lands have not been surveyed. A great many settlers have gone on the land, and they are simply asking for the relief that other settlers have had who have gone on lands under the same conditions in the past.

Mr. STAFFORD. What are the rights of the Northern Pacific Railway Co. to these unsurveyed lands? Here you purpose to take away the rights of the original grantee, the Northern Pacific Railway Co., without their consent or approval, upon condition that they will be privileged to accept other lands.

Mr. LA FOLLETTE. Their rights are just the same as they were when the other law was passed which they have been acting under, and this simply amends that act by extending the time.

Mr. STAFFORD. Is not the gentleman in error on that?

Mr. LA FOLLETTE. I do not think I am.

Mr. STAFFORD. Did not the other law merely give to those who had entered upon the unsurveyed lands the right to retain them in case the Northern Pacific Railway Co. approved of the transaction and took the lieu lands in exchange?

Mr. JOHNSON of Washington. It all hinges on the decision in the Violette case. The suggestion of amendatory legislation was made to correct what was believed to be a failure in the original act to provide adequate protection for the settler, subsequent to January 1, 1898, on unsurveyed lands, a condition emphasized in the decision in the case of the Northern Pacific Railway Co. v. Violette (36 L. D., 182), reaffirmed in the case of Arthur Gilfeather October 29, 1914.

Mr. STAFFORD. Is it not a fact that the Northern Pacific Railway Co. have given notice to the department that they intend to press a claim in the Court of Claims if this law is passed and their rights are attempted to be crippled in this matter?

Mr. JOHNSON of Washington. The department of the Interior suggests the legislation. Here are unsurveyed lands, which are out of taxation and subject, as other lands are, to lieu land scrip. This proposed legislation is for the protection of 34 settlers, all that can be found who so settled on lands in the railroad grant, thinking that they had the same rights as all others under the passage of the act to which my colleague [Mr. LA FOLLETTE] refers, but without rights, since the decision in the Violette land case.

Mr. STAFFORD. I have no objection, so far as the provision relating to the settlers is concerned, provided it does not involve the Government. This action is to be taken, as far as I have seen, and I have read everything submitted to me in the matter, without the approval of the Northern Pacific Railroad Co.

Mr. JOHNSON of Washington. It gives the settlers an equity in the matter.

Mr. MANN. Does not the Northern Pacific Railroad Co. have the right to relinquish these lands and take new lands?

Mr. STAFFORD. Yes; but it must be done on their initiative.

Mr. MANN. They can take the same lieu lands in one case as they could in the other; they do not get any rights against the Government.

Mr. STAFFORD. No; not if they do it voluntarily, because they are estopped from making any claim against the Government.

Mr. MANN. They would not have any claim against the Government if they took the lieu lands.

Mr. STAFFORD. No; not if they took the lieu lands.

Mr. MANN. And if they do not take them they will never get anything.

Mr. LA FOLLETTE. The Northern Pacific Railroad Co. has had every opportunity to have these lands surveyed since 1884.

Mr. STAFFORD. Oh, yes; but we have not been in a position to survey all the lands of the United States.

Mr. MANN. They would not have any claim against the Government anyway.

Mr. LA FOLLETTE. The title is in the Government.

Mr. JOHNSON of Washington. The title has not passed.

Mr. STAFFORD. The title has not passed. The right has been granted to them under the original land grant.

Mr. MANN. There are many cases where under the original land grant they took lieu lands and do take them; if they do not take them they do not get anything.

Mr. DILL. When the other bill was passed they did not have any claim against the United States.

Mr. STAFFORD. No; but the land department has construed that law that it did not extend to the settlers any rights except with the approval of the Northern Pacific Railroad Co. That was the decision in the Violette case.

Mr. Speaker, upon the statement made by the gentleman from Illinois I hardly think I will press my objection further if the

gentleman agrees to insert after the word "lands," in line 5, the words "of approximately equal value."

Mr. LA FOLLETTE. I will not object to that; I do not think it means anything.

Mr. STAFFORD. I think it does mean something from the way that the public domain has been raided under these lieu lands.

Mr. FERRIS. I have no objection to that.

Mr. STAFFORD. Then, Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection?

There was no objection.

Mr. FERRIS. Mr. Speaker, I ask that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

An act (S. 1792) for the relief of settlers on unsurveyed railroad lands.

Be it enacted, etc., That where, prior to July 1, 1913, the whole or any part of an odd-numbered section within the primary limits of the land grant to the Northern Pacific Railway Co., within the State of Washington, to which the right of the grantee or its lawful successor is claimed to have attached by definite location, has been settled upon in good faith while unsurveyed, by any qualified settler, the same shall be subject to all the provisions of the act of July 1, 1898 (30 Stat. L., pp. 620-622), relating to lands in said primary limits so settled upon prior to January 1, 1898, and said act is hereby amended accordingly: *Provided*, That upon the relinquishment by said railway company of any of the lands so settled upon the selection of any lieu lands by said company shall be confined to the State of Washington.

Mr. STAFFORD. Mr. Speaker, I move to amend by inserting, after the word "lands," line 5, page 2, the words "of approximately equal value."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 2, line 5, by inserting, after the word "lands," the words "of approximately equal value."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Washington, a motion to reconsider the vote whereby the bill was passed was laid on the table.

DISPOSITION OF LAND IN PORT ANGELES, WASH.

The next business on the Calendar for Unanimous Consent was the bill S. 5900, an act providing for the disposal of certain land in block 69 in the city of Port Angeles, State of Washington.

Mr. LA FOLLETTE. Mr. Speaker, I ask unanimous consent that that bill be stricken from the calendar.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

JUSTICES OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 5788) to create two additional associate justices of the Supreme Court of the District of Columbia.

The SPEAKER. Is there objection?

There was no objection.

Mr. WEBB. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That there shall be appointed by the President, by and with the advice and consent of the Senate, two additional associate justices of the Supreme Court of the District of Columbia; that said additional associates justices shall have the same power, authority, and jurisdiction as now or hereafter may be exercised by any of the associate justices of the said supreme court and shall be entitled to receive the same salary, payable in the same manner.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. WEBB, a motion to reconsider the vote whereby the bill was passed was laid on the table.

STEAMBOAT INSPECTORS AT TAMPA, FLA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17605) to amend the first and seventh paragraphs of section 4414 of the Revised Statutes of the United States, as amended by the act of April 9, 1900.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, what will this board of local inspectors cost the Government?

Mr. SPARKMAN. I can not say; but I am safe in saying that the amount saved in the passage of the bill will be considerable. My recollection is that there are two inspectors, and they are paid \$1,500 or \$2,000 a year.

Mr. STAFFORD. Sixteen hundred dollars, I believe, under the statute.

Mr. MANN. The statute does not fix any salary except at this particular place, does it?

Mr. STAFFORD. At this particular place it would be \$1,600.

Mr. MANN. Are there two or three inspectors?

Mr. STAFFORD. Two.

The SPEAKER. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to substitute and consider the bill S. 8079, a similar bill.

The SPEAKER. This bill is on the Union Calendar.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

Mr. WILSON of Florida. Mr. Speaker, reserving the right to object, I would like to inquire of my colleague if this changes the headquarters from Apalachicola of the present local inspector?

Mr. SPARKMAN. Mr. Speaker, I will say that it does not change the headquarters of the inspection district of which Apalachicola is the headquarters, and was not intended to do so.

The SPEAKER. Is there objection to considering this bill in the House as in Committee of the Whole?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I now ask unanimous consent that Senate bill 8079 be considered in lieu of this, which bill is on the Speaker's table.

The SPEAKER. The gentleman from Florida asks unanimous consent to consider Senate bill 8079, of like tenor, in place of the House bill. Is there objection?

Mr. MANN. Let us have the Senate bill reported.

The Clerk read as follows:

Be it enacted, etc., That the first and seventh paragraphs of section 4414 of the Revised Statutes of the United States, as amended by the act of April 9, 1906, be amended by inserting after the words "Jacksonville, Fla.," in each paragraph, the words "Tampa, Fla."

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The House bill was laid on the table.

On motion of Mr. SPARKMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

FORT PECK INDIAN RESERVATION.

Mr. MANN. Mr. Speaker, we just passed Senate bill 5612, providing additional time for the payment of purchase money under homestead entries of lands within the former Fort Peck Indian Reservation, Mont., and we struck out section 2. As this is a Senate bill the Clerk would not have authority to renumber the sections. I ask unanimous consent that the order for the third reading and passage of the bill be vacated, and that an amendment be agreed to to strike out the numeral "3" after the word "Sec." and inserting the number "2" in lieu thereof, and then that the bill be considered as read a third time and passed.

The SPEAKER. The gentleman from Illinois asks unanimous consent to vacate the proceedings on the bill S. 5612, back to the amending stage. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, I move to amend, in line 24, page 2, by striking out after the word "Sec." the numeral "3" and inserting in lieu thereof the numeral "2."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill as amended.

The bill was ordered to be read a third time, was read the third time, and passed.

PRODUCTION AND DISTRIBUTION OF FOOD PRODUCTS.

The next business on the Calendar for Unanimous Consent was H. Res. 389, directing the Federal Trade Commission to investigate and report to the House of Representatives the facts relating to the production, marketing, and distribution of food products in the United States, together with any violations of the antitrust laws in connection therewith, and recommendations for greater economy and efficiency in the marketing of food products and the punishment and prevention of extortion in the prices thereof.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I think this has been taken care of.

Mr. BORLAND. Mr. Speaker, the purpose of this is covered by an order which the President has made upon the Federal Trade Commission, but it does not seem to me that that militates against the passage of this resolution. It is rather an argument in its favor.

Mr. MANN. It seems to me to be the other way.

Mr. BORLAND. If the President agrees that the investigation ought to be made, it seems to me that the House can well agree to it, too.

Mr. MANN. I do not see any reason for duplicating the work.

Mr. BORLAND. That is not duplicating.

Mr. MANN. The President has already directed that the investigation be made.

Mr. AUSTIN. Mr. Speaker, I object.

Mr. BORLAND. Will the gentleman permit me to ask unanimous consent that the resolution remain on the calendar?

Mr. MANN. Let it go to the foot of the calendar.

Mr. BORLAND. Does the gentleman object—

Mr. AUSTIN. I do not object to the bill going to the foot of the calendar.

The SPEAKER. Without objection, the bill will go to the foot of the calendar.

Mr. BORLAND. I am afraid that that means that it will not be reached this session.

There was no objection.

FISH-CULTURAL STATION, KLAMATH RIVER, CAL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11245) to authorize the establishment of an auxiliary or field fish-cultural station on the Klamath River, in the State of California.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

ADDITIONAL DISTRICT JUDGE FOR TEXAS.

The next business on the Calendar for Unanimous Consent was the bill (S. 5450) to amend section 108, chapter 5, of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911."

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, this bill must be considered in connection with another bill upon the Unanimous Consent Calendar providing for a new division of the northern judicial district of Texas, H. R. 19299. It is surprising that the Attorney General, though he comes from the State of Texas, virtually makes an adverse report upon the bill providing for either an additional judge to relieve the conditions in the western district or to create a new district.

Certainly he does not make a favorable report as to these proposals. As to the bill that provides for a new division, he does make an adverse report upon it, for he says in his letter to the chairman of the Judiciary Committee of the Senate:

It does not occur to me that new courts at any one of these three points are especially needed. As distances go in Texas, Lubbock, Wichita Falls, and Brownwood are fairly close to other points whose terms of court have already been established.

It was my idea that there was an equal need of relief in the northern district of Texas as in the western district of Texas. I can not agree with the proponents of this bill, who have favored me with a large amount of data of the conditions prevailing there, that the conditions in the western district are so exceptional. While there has been a large increase of criminal cases and bankruptcy cases, which we all know as far as bankruptcy cases are concerned do not require the attention of the court, as far as civil cases are concerned there has only been an increase of 20 in new suits introduced some 8 or 10 years ago, but I think the report shows a rather exceptional condition prevailing so far as the trial of persons in El Paso is concerned, a distance of 700 miles from Austin, I believe, and from Dallas.

Mr. STEPHENS of Texas. Has the gentleman also taken into consideration that there is more business at El Paso than at any other point?

Mr. STAFFORD. That is a small section, largely criminal suits arising out of conditions on the border, merely ephemeral, and will pass away ultimately.

Mr. GARNER. If the gentleman will permit, let me say I agree with the gentleman from Wisconsin that the northern district does need relief. The truth of the business is that Judge Maxey and Judge Meeks both have endangered their lives,

if not put themselves on the very verge of invalidism, on account of the amount of work they have had to do in the last six or eight years in those two districts. Now, I agree with the gentleman that the northern district should have relief, just as the western district; and I would like to see this bill amended so that, if possible, the northern district would have the same relief as the western district.

Mr. STAFFORD. I had intended to frame an amendment so as to provide that this additional judge could be used in the northern district as well, but on referring to the Judicial Code I find that there is an express provision which enables the circuit justice to assign a district judge of any district to work in another district where his services are needed. I am withdrawing my opposition to this bill largely with the idea that if it is passed this additional judge will not merely look after the little work that arises in El Paso, because the Attorney General says that there is not enough work there to engage the attention of a judge, but that the circuit justice there will assign this new judge to the relief of the judge of the western district and also of the northern district. Sooner or later, when the population increases down there, there will be need for the creation of a new district.

Mr. GARNER. May I say to the gentleman, the attorneys interested in this matter have already looked after that matter by preparing a statement to the presiding judge of the circuit court as to the conditions of these various courts that this judge may be assigned to the place where there is greatest need on account of the work.

Mr. STAFFORD. As the gentleman knows, the showing made from the report of the Attorney General that the conditions in the northern district are almost identical as the western in regard to work—

Mr. GARNER. Undoubtedly.

Mr. STAFFORD. Undoubtedly the judge may be assigned to the relief of conditions in both districts. Mr. Speaker, I withdraw the reservation of objection and ask unanimous consent, or some one may ask unanimous consent, that the substitute be read in lieu of the House bill.

Mr. GARNER. Mr. Speaker, I ask unanimous consent that the substitute be read in lieu of the House bill and that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. First, is there objection to the consideration of this bill at all? [After a pause.] The Chair hears none. Now, the gentleman from Texas asks unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union.

Mr. GARNER. And that the substitute be read in lieu of the original bill.

The SPEAKER. And that the substitute be considered in lieu of the House bill. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the District Court of the United States for the Western District of Texas, who shall possess the same powers, perform the same duties, and receive the same compensation and allowance as the present judge of said district, and whose official place of residence shall be maintained at El Paso until otherwise provided by law.

The substitute was agreed to.

The bill as amended was ordered to be read the third time, was read the third time, and passed.

The title was amended so as to read: "An act to provide for an additional judge in the State of Texas."

On motion of Mr. GARNER, a motion to reconsider the vote by which the bill was passed was laid on the table.

GREAT NORTHERN RAILWAY CO.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 16922) authorizing the Secretary of the Interior to sell and convey to the Great Northern Railway Co. certain lands in the State of Montana for division terminal yards and other railway purposes, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. EVANS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. EVANS. I ask that the bill S. 7796 be taken from the Speaker's table and substituted for this bill.

The SPEAKER. The gentleman from Montana asks unanimous consent to take the Senate bill of similar tenor from the Speaker's table and consider that in lieu of the House bill.

Mr. MANN. Reserving the right to object, is the Senate bill just the same?

Mr. EVANS. I understand it is verbatim.

Mr. MANN. Including the amendment to section 4?

Mr. EVANS. I can not say positively. I had that assurance from the Secretary. My bill was introduced first.

Mr. MANN. I will not object to the consideration, but I want to hear whether it is the same bill or not.

The SPEAKER pro tempore (Mr. GARNER). The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 7796) authorizing the Secretary of the Interior to sell and convey to the Great Northern Railway Co. certain lands in the State of Montana for division terminal yards and other railway purposes, and for other purposes.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be appraised all those parts of section 32 and 33, township 31 north, range 32 east, and of section 5, township 30 north, range 32 east, Montana meridian, State of Montana, described as follows:

Beginning at the point of intersection of the present right of way of the Great Northern Railway with the east line of the northwest quarter of the southeast quarter of said section 33, which point is 75 feet northerly at right angles from the center line of said Great Northern Railway as the same is now constructed across said section 33; thence westerly to a point on the west line of said quarter quarter section 300 feet northerly at right angles from said center line; thence southwesterly parallel with said center line to an intersection with the east and west quarter quarter section line in the southwest quarter of said section 33; thence westerly along said quarter quarter section line to the west line of said section 33; thence westerly along the east and west quarter quarter section line in the south half of said section 32 to the northwest corner of the southwest quarter of the southwest quarter of said section 32; thence southerly along the west line of said quarter quarter section to the north line of section 5, township 30 north, range 32 east; thence westerly along said north line to the northwest corner of said section 5; thence southerly along said west line to the present northerly right-of-way line of said railway, which right-of-way line is 75 feet northerly at right angles from the center line of said railway as the same is now constructed; thence northeasterly parallel with said center line to the place of beginning. Also beginning at the point of intersection of the southerly right-of-way line of said railway with the east line of the southwest quarter of the southeast quarter of said section 32, said point being 75 feet distant southerly at right angles from said center line; thence southwesterly parallel with said center line to the west line of lot 3, section 5, township 30 north, range 32 east; thence southerly along said west line to a point 200 feet distant southerly at right angles from said center line; thence northeasterly parallel with said center line to the east line of the southwest quarter of the southeast quarter of said section 32; thence northerly along said east line to the place of beginning, the said tracts containing in the aggregate 170.07 acres, more or less. The said center line of railway is described as beginning 129 feet south of the east quarter corner of said section 33, running thence southwesterly in a straight line, intersecting the west line of said section 32, 921 feet north of the southwest corner, a distance of 10,422 feet; thence on a curve to the left, with a radius of 11,459.2 feet, a distance of 500 feet; thence southwesterly, tangent to said curve, 511.4 feet to the west line of said section 5 at a point 825.5 feet south of the northwest corner.

Sec. 2. That the Secretary of the Interior be, and he is hereby, further authorized and directed to cause to be appraised all those parts of sections 14 and 15, township 27 north, range 47 east, Montana meridian, in the Fort Peck Indian Reservation, State of Montana, described as follows:

Beginning at the point of intersection of the present right-of-way line of the Great Northern Railway with the east line of the northwest quarter of the northeast quarter of said section 14, which point is 75 feet distant northerly at right angles from the center line of said Great Northern Railway as the same is now constructed over said section; thence westerly in a straight line to a point on the west line of said quarter quarter section which is 275 feet distant northerly at right angles from said center line; thence southwesterly parallel with said center line to an intersection with the south line of the northwest quarter of the northwest quarter of said section 14; thence westerly along said south line to the west line of said section 14; thence westerly along the east and west quarter quarter section line in the north half of said section 15, to the northwest corner of the southeast quarter of the northwest quarter of said section 15; thence south along the west line of said quarter quarter section 1,170 feet; thence southwesterly 850 feet to a point on the present northerly right-of-way line of the said Great Northern Railway, which point is 100 feet distant northerly at right angles from the center line of said railway as the same is now constructed; thence northeasterly parallel with said center line to the north and south quarter section line of said section 15; thence southerly along said quarter line to a point 75 feet distant northerly at right angles from the said center line; thence northeasterly parallel with said center line to the place of beginning, containing 94.15 acres, more or less. The said center line of railway is a tangent intersecting the east line of section 14, 365.7 feet south of the northeast corner thereof, the east line of section 15, 905.8 feet north of the east quarter corner and the west line of section 15, 466.8 feet south of the west quarter corner.

Sec. 3. That upon appraising the said lands the Secretary of the Interior is authorized and directed to sell and convey the same to the Great Northern Railway Co., a corporation of the State of Minnesota, and owning and operating lines of railway in the State of Montana and other States, for division terminal yards and other railway purposes, upon such terms as he may deem advisable. If the sale of any of the lands described in section 2 hereof shall include the whole or any part of the allotment of an individual Indian, the purchase price of such allotted land shall be paid to such Indian, subject to the control of the Secretary of the Interior as to the funds of incompetent Indians.

Sec. 4. That the appraisal of the lands described in section 1 of this act shall take into consideration the estimated cost per acre for the construction of irrigation works for the Milk River irrigation project, and in no event shall be less than the actual market value of said land and the estimated cost per acre for the construction of said irrigation

project. The conveyances for the lands described above in sections 1 and 2 shall reserve to the United States and its successors in interest right of way for canals or ditches heretofore or hereafter constructed thereon, and the railway company shall construct at its own expense any crossings of said canals or ditches which may be necessary for its purposes, and such crossings shall be built and maintained in such a manner as not to interfere with the operations of said canals or ditches by the United States or its successors in interest, and such conveyances shall be subject to any prior valid rights of way.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

By unanimous consent the corresponding House bill (H. R. 16922) was ordered to lie on the table.

MOUNT MCKINLEY NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (S. 5716) to establish the Mount McKinley National Park, in the Territory of Alaska.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I have no objection to the general purpose of the bill, but I think there should be some amendment.

Mr. MCCLINTIC. At the suggestion of one of the Members I have prepared an amendment which will limit the amount to be appropriated in any one year, and fixing it so that no money shall be appropriated except by a direct legislative act.

Mr. STAFFORD. On the amount?

Mr. MCCLINTIC. It is the same amendment that is included in the other park bills. This amendment was taken from the Rocky Mountain Park bill.

Mr. STAFFORD. Where does the gentleman propose to insert? Will the gentleman kindly read it?

Mr. MCCLINTIC. I will say this suggestion was made by the gentleman from Wisconsin [Mr. LENROO], and this amendment was submitted to him. It reads:

Provided, That no appropriation for the maintenance of said park in excess of \$10,000 annually shall be made unless the sum shall be first expressly authorized by law.

Mr. STAFFORD. Does that include the funds that will arise from the rental of the privileges and the like in the park, which under the provisions of this bill are to be utilized for the maintenance of the park?

Mr. MCCLINTIC. I understand that all funds derived from the park are to be paid into the Treasury.

Mr. STAFFORD. Not under the wording of this bill. That is one of the amendments I propose to offer. I want to know whether it would meet the approval of the chairman of the committee.

Mr. MCCLINTIC. I do not think there would be any objection to that.

Mr. STAFFORD. In the last sentence of section 7, instead of having the funds derived from leases or other privileges to be utilized for the continuous use of the park, to have them turned into the Treasury as miscellaneous receipts.

Mr. MCCLINTIC. I am sure that will be satisfactory.

Mr. MONDELL. Mr. Chairman, I did not hear the colloquy between the gentleman from Wisconsin [Mr. STAFFORD] and the gentleman in charge of the bill.

Mr. STAFFORD. The gentleman from Oklahoma [Mr. MCCLINTIC] stated he proposed to offer an amendment so that not more than \$10,000 should be utilized.

Mr. MONDELL. I heard that, but with regard to the provisions relative to the provisions in lines 11 and 13, page 4.

Mr. STAFFORD. My idea was to offer an amendment so as to have all those proceeds turned into the Treasury as miscellaneous receipts.

Mr. MONDELL. Would it not be a better amendment to strike out that part of the paragraph?

Mr. STAFFORD. What provision would be made, then, as to the proceeds from leases and other sources of revenues?

Mr. MONDELL. Then the proceeds would flow into the Treasury.

Mr. MCCLINTIC. Will that be satisfactory to you?

Mr. STAFFORD. Entirely satisfactory.

Now, another thing: Does not the gentleman think, so far as the privileges of prospectors and hunters in the park are concerned, that those privileges should be under such regulations as the Secretary of the Interior may prescribe?

Mr. MCCLINTIC. I might answer that by saying that this matter was thoroughly considered by the Secretary of the Interior and also the Department of Agriculture. In the House bill originally some reference was made to that particular provision, but afterwards the Secretary of the Interior withdrew

his recommendation along that line and allowed the Senate bill to go through with his full recommendation and approval.

Mr. STAFFORD. Does not the gentleman think, regardless of the attitude of the Secretary of the Interior in that particular, that we should vest in the Secretary of the Interior certain powers to restrain prospectors and miners in the amount of game that they are privileged to kill? Those privileges ought to be under the regulation of the Secretary of the Interior.

Mr. MCCLINTIC. The Secretary of the Interior thought that under the provisions of this act that the provision was sufficiently safeguarded, and he would have sufficient jurisdiction to take care of game in the Territory. But I would like to ask the Delegate from Alaska in regard to that.

Mr. STAFFORD. I do not find any such jurisdiction. I do not think there would be anything wrong in inserting "under such regulations as the Secretary of the Interior may prescribe." We are providing an organic act for this park and occasion may arise when the Secretary of the Interior may think it necessary to "proscribe the shooting of game ad libitum by prospectors there.

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. Reserving the right to object—

Mr. STAFFORD. The gentleman from Oklahoma just suggested he would like to have the opinion of the Delegate from Alaska as to the suggestion made that the privileges of the miners and prospectors so far as hunting without limitation and for their actual necessities is concerned, should be restricted under such regulations as the Secretary of the Interior may prescribe.

Mr. WICKERSHAM. Yes; I do not think that ought to be in there.

Mr. STAFFORD. The restriction should not be in?

Mr. WICKERSHAM. I do not think that amendment should be made. I understand there is a general park law which gives him that right without putting it in here.

Mr. STAFFORD. I do not recall any such provision as would extend that.

Mr. WICKERSHAM. We thrashed that out in the committee several times. There are good reasons why it should not be put in.

Mr. STAFFORD. There is one other matter that I wish to call attention to, and then I will subside, so far as this bill is concerned. There is awkward phraseology found in section 5—"that the said park shall be under the executive control of the Secretary of the Interior, and it shall be the duty of said executive authority." Why not say just "he"?

Mr. MCCLINTIC. This is the language of the Senate bill as it passed that body.

Mr. STAFFORD. That does not give it more right to be exempt from criticism than if it were a House bill.

Mr. MCCLINTIC. If the phraseology is wrong it ought to be corrected.

Mr. STAFFORD. I would like to inquire of the gentleman as to his opinion. It seems to me to be awkward. It says: "It shall be the duty of the said executive authority." Why not say "he"? It refers, I am sure, to the Secretary of the Interior.

Mr. MCCLINTIC. I am sure there will be no objection to any amendment that will perfect the section.

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. Mr. Speaker, I want to call attention to section 4, at the bottom of page 3, which provides that the mineral land laws of the United States are hereby extended to lands included in the park. I understand the situation is this, that the mineral laws that apply to Alaska—and they are somewhat different from the general land laws—now apply to lands in the park. What is desired, as I understand, is that nothing in this bill shall modify or change that situation. Now, my information is that there is some question as to what we might do if we enacted into law the language of the bill, because the mineral laws of the United States, some of them, do not apply to any part of Alaska.

I thought the gentleman would not have any objection, possibly, to striking out that language and inserting something like this: "Nothing in this act shall in any way modify or affect the mineral laws now applicable to the lands in said park." That leaves them as they are.

Mr. MCCLINTIC. We would be very glad to accept that.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, the gentleman said he would offer an amendment providing that not more than \$5,000 a year could be appropriated for the support of this park. I want to say I propose to antagonize such an amendment, if it comes upon the floor.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LENROOT. Mr. Speaker, reserving the right to object, I wish to say that that amendment has been adopted in all the park bills recently passed. Unless we shall have an understanding that that amendment will be agreed to, I shall be compelled to object.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. LENROOT. What does the gentleman from Oklahoma say in regard to that matter?

Mr. McCLINTIC. I agree that the amendment shall be presented, and we will support the amendment.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

Mr. McCLINTIC. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read as follows:

An act (S. 5716) to establish the Mount McKinley National Park, in the Territory of Alaska.

Be it enacted, etc., That the tract of land in the Territory of Alaska particularly described by and included within the metes and bounds, to wit: Beginning at a point as shown on Plate III, reconnaissance map of the Mount McKinley region, Alaska, prepared in the Geological Survey, edition of 1911, said point being at the summit of a hill between two forks of the headwaters of the Toklat River, approximate latitude 63° 47', longitude 150° 20'; thence south 6° 20' west 19 miles; thence south 68° west 60 miles; thence in a southeasterly direction approximately 28 miles to the summit of Mount Russell; thence in a northeasterly direction approximately 89 miles to a point 25 miles due south of a point due east of the point of beginning; thence due north 25 miles to said point; thence due west 28½ miles to the point of beginning, is hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States, and said tract is dedicated and set apart as a public park for the benefit and enjoyment of the people, under the name of the Mount McKinley National Park.

Sec. 2. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land.

Sec. 3. That whenever consistent with the primary purposes of the park the act of February 15, 1901, applicable to the location of rights of way in certain national parks and national forests for irrigation and other purposes, shall be and remain applicable to the lands included within the park.

Sec. 4. That the mineral-land laws of the United States are hereby extended to the lands included within the park.

Sec. 5. That the said park shall be under the executive control of the Secretary of the Interior, and it shall be the duty of the said executive authority, as soon as practicable, to make and publish such rules and regulations not inconsistent with the laws of the United States as the said authority may deem necessary or proper for the care, protection, management, and improvement of the same, the said regulations being primarily aimed at the freest use of the said park for recreation purposes by the public and for the preservation of animals, birds, and fish and for the preservation of the natural curiosities and scenic beauties thereof.

Sec. 6. That the said park shall be, and is hereby, established as a game refuge, and no person shall kill any game in said park except under an order from the Secretary of the Interior for the protection of persons or to protect or prevent the extermination of other animals or birds: *Provided*, That prospectors and miners engaged in prospecting or mining in said park may take and kill therein so much game or birds as may be needed for their actual necessities when short of food; but in no case shall animals or birds be killed in said park for sale or removal therefrom, or wantonly.

Sec. 7. That the said Secretary of the Interior may, in his discretion, execute leases to parcels of ground not exceeding 20 acres in extent for periods not to exceed 20 years whenever such ground is necessary for the erection of establishments for the accommodation of visitors; may grant such other necessary privileges and concessions as he deems wise for the accommodation of visitors; and may likewise arrange for the removal of such mature or dead or down timber as he may deem necessary and advisable for the protection and improvement of the park. The proceeds of leases and other revenues that may be derived from any source connected with said park shall be expended under the direction of the Secretary of the Interior in the administration, maintenance, and improvement of the park.

Sec. 8. That any person found guilty of violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and shall be subjected to a fine of not more than \$500 or imprisonment not exceeding six months, or both, and be adjudged to pay all costs of the proceedings.

Mr. McCLINTIC. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McCLINTIC: Page 4, line 14, after the word "park," insert the words "*Provided*, That no appropriation for the maintenance of said park in excess of \$10,000 annually shall be made unless the same shall have been expressly authorized by law."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MANN rose.

The SPEAKER pro tempore. Does the gentleman desire recognition on the amendment?

Mr. McCLINTIC. Mr. Speaker—

Mr. MANN. I suggest that the gentleman from Oklahoma, who did not take the floor until the Chair put the question, can not go on now. However, I am willing to yield to him.

The SPEAKER pro tempore. The Chair will state that the gentleman from Oklahoma was on his feet.

Mr. McCLINTIC. I did not yield the floor.

Mr. Speaker, I desire to state that in offering this amendment we are only following a precedent that has been established in the creation of all the late parks. I believe in the bill creating the Rocky Mountain Park and many others; they include this provision, which limits the amount to be expended in one year; and that being the case and having agreed with the gentleman from Wisconsin [Mr. LENROOT] that this amendment should be offered, I believe that the same should be adopted, as it will be in keeping with the policy that has already been established by the House. I hope the amendment will be adopted.

Mr. MANN. Mr. Speaker, I very much doubt the propriety of putting this limitation into these park bills. I can appreciate, however, the fact that probably more national parks will be created, since it is easy to put this proposition into the bills, than would be created if this sort of a proposition did not go into the bill.

We passed the Rocky Mountain National Park bill a few years ago. Well, you can not do anything with the Rocky Mountain National Park with \$10,000 a year. Now we propose to create the Mount McKinley National Park, where Mount McKinley is. I believe Mount McKinley is the highest mountain on the North American Continent. The Alaskan Railroad will run not a great distance from it when it is completed, and that will not be very long, and everybody who goes to Alaska visiting will probably go to this national park, which has the most imposing scenery that can be found on the western continent outside of the Andes Mountains, and from my reading I believe it is more imposing than anything in the Andes Mountains.

Mount McKinley is said to be the most imposing mountain in the world. Because the ascent to the top is not gradual, by foothills, the distance of the mountain up in the air from the surrounding country is greater, I believe, than that of any other mountain in the world. Necessarily a good many people will go there. I am told there are great herds of caribou there and considerable herds of mountain sheep and some other wild animals. Necessarily if the park is set aside and anything is done with it, there must be some trails constructed and some guards or watchmen there. I doubt very much whether in the course of a year or two \$10,000 will be enough. Of course, I would rather pass the bill, even with the provision that there shall be no money spent, just so the park is set aside, than not to have it set aside at all. Though for the life of me, since I first read Dr. Cook's Ascent of Mount McKinley—which he never made, but a book which is probably the most graphic description of that territory that can be found anywhere—I have doubted whether anybody else could make any use of any of the icebergs or the other mountainous country included in this bill.

I do not believe it is desirable to make such limitations a fixed habit.

Mr. LENROOT. Mr. Speaker, I am opposed to the expenditure of any large sums of money on new national parks in the present condition of the Federal Treasury; but I am in favor of the creation at this time of national parks containing great scenic beauty or natural curiosities. I believe that if you strike out this limitation there will not be many more park bills reported from the Public Lands Committee; but they ought to be reported, not with the idea of immediate use, but to set them aside so that they will not go into private ownership, and that later on they may be developed. We now have, I believe, some 14 national parks. The bills creating the latest two have contained the limitation that is now proposed by this amendment. In the very nature of things the amount that Congress will annually appropriate for the development of parks is limited. If you strike out all limitation, and we appropriate half a million dollars a year to be divided among 14 or 16 national parks, it will amount to nothing so far as actual utility is concerned, and that money should be confined to four or five national parks until they are developed, and begin to gain some revenue such as we are now getting from the Yellowstone, and such as we are now getting from the Yosemite; but they should not be scattered through all the parks of this country. At the same time we ought to preserve them now for future generations, before a portion of them may get into private

ownership. Therefore I am very much in favor of this amendment. It ought to be adopted, and so far as Alaska is concerned, by the time the Alaskan Railway is completed, by the time that tourist travel shall go there in any large numbers, that will be time enough for Congress to remove the limitation that ought to be adopted by this amendment.

Mr. WICKERSHAM. Mr. Speaker, I think generally there ought to be limitations of this kind upon these park bills. As a member of the Committee on the Public Lands, I always favor these limitations with respect to expenditures on the parks of this country, generally, but I do think such a limitation in this bill is a mistake, not because the lack of it will tend in any way to destroy the great beauties of that park, but it will tend to leave open to spoliation the herds of wild game which are now within its boundaries. There is good reason for some stringent measures to be taken at this time for the protection of the game in the park. It embraces the highlands around Mount McKinley. All of it is above timber line, and all is substantially within the region of constant snow. Great glaciers are embraced within its boundaries. But the great game animals in that region resort to this park and to the high valleys around it for protection, especially in the summer time. Thousands of caribou, many moose, and herds of sheep and other wild animals are found there. The Government railroad is now being constructed along the east line of the park. Thousands of people are going in there soon, and too many will carry a gun and be looking constantly for game; and if something is not done pretty soon for the protection of this game, it will all be killed off. So, I say again, I think now is the time to make a good appropriation for the protection of the game in the park. The great scenic beauties of the park do not need an appropriation for their protection, but the game there does need it, and needs it now.

Mr. LENROOT. Does not the gentleman think an appropriation of \$10,000 a year for the protection of game in one single park is a fairly liberal appropriation?

Mr. WICKERSHAM. It may be sufficient. I am only stating the facts. The park itself is very large, and it is approached by the game upon all sides, so that considerable money will have to be spent in protecting the game if you want it protected.

The SPEAKER pro tempore (Mr. GARNER). The question is on the amendment offered by the gentleman from Oklahoma [Mr. McCLINTIC].

The amendment was agreed to.

Mr. MONDELL. I move to strike out section 4 and to insert the language which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Wyoming offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. MONDELL: Page 3, strike out all of section 4 and insert in lieu thereof the following:

"Sec. 4. Nothing in this act shall in any way modify or affect the mineral-land laws now applicable to lands in the said park."

Mr. McCLINTIC. I accept the amendment.

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I move to strike out in section 7 all after the word "park," down to the end of the paragraph, excepting the proviso just adopted by the House.

The SPEAKER pro tempore. The gentleman offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. STAFFORD: Page 4, line 10, following the word "park," strike out the following language:

"The proceeds of leases and other revenues that may be derived from any source connected with said park shall be expended under the direction of the Secretary of the Interior in the administration, maintenance, and improvement of the park."

Mr. McCLINTIC. Mr. Speaker, I think those words ought to go out.

The SPEAKER pro tempore. The question is on the amendment of the gentleman from Wisconsin [Mr. STAFFORD].

The amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill was passed was laid on the table.

BELIEF OF MINE OWNERS IN FEDERAL SERVICE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18826) to relieve the owners of mining claims who have been mustered into the service of the United States as officers or enlisted men of the Organized Militia or National Guard from performing assessment work during the term of such service.

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. Reserving the right to object, I would like to ask the gentleman in charge of the bill whether he is quite certain that the bill as it now reads would not relieve indefinitely the officers and men of the National Guard from the necessity of doing assessment work on mining claims?

Mr. HAYDEN. I do not think so. The men are mustered into the service of the United States and mustered out again just as some of the National Guard of the District of Columbia have been within the past few days.

Mr. MONDELL. On a hurried reading of the bill I do not see anything providing that it shall only apply to the time they are enlisted. It applies after they have been mustered into the service of the United States. If that point in an amendment was made limiting it—

Mr. MANN. If the gentleman will permit me, the same question arose in my mind, and it may be that it is a valid objection. However, on page 2, line 2, it reads:

So that no mining claim or any part thereof owned by such person which has been regularly located and recorded shall be subject to forfeiture for nonperformance of the annual assessments until six months after such owner is mustered out of the service or until six months after his death in the service.

I reached the conclusion that that was a limitation.

Mr. MONDELL. It is a limitation, and yet it is rather an indefinite one, when you take into consideration the fact that this question of relief from the necessity of doing assessment work is likely to be taken into the courts.

Mr. MANN. I have not doubt what the court would determine about it, but what the department would do about it I am not so certain.

Mr. MONDELL. If the gentleman is quite sure that a court would construe that language to the effect that the relief was only during the service I will make no objection.

Mr. HAYDEN. It is only intended as such.

Mr. MONDELL. It is evident, however, that the relief is not only during the service but for a period subsequent—

Mr. HAYDEN. For six months.

Mr. MONDELL. That is perhaps all right.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of section 2324 of the Revised Statutes of the United States, which require that on each mining claim located after the 10th day of May, 1872, and until patent has been issued therefor, not less than \$100 worth of labor shall be performed or improvements made during each year shall not apply to claims or parts of claims owned by officers or enlisted men of the Organized Militia or the National Guard who have been mustered into the service of the United States, so that no mining claim, or any part thereof, owned by such person which has been regularly located and recorded shall be subject to forfeiture for nonperformance of the annual assessments until six months after such owner is mustered out of the service or until six months after his death in the service: *Provided*, That the claimant of any mining location, in order to obtain the benefits of this act, shall file, or cause to be filed, in the office where the location notice or certificate is recorded, within 90 days from and after the passage and approval of this act, a notice of his muster into the service of the United States, and of his desire to hold said mining claim under this act.

The bill was ordered to be read a third time, was read the third time, and passed.

NEW DIVISION OF THE NORTHERN JUDICIAL DISTRICT OF TEXAS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 19299) to create a new division of the northern judicial district of Texas, and to provide for terms of court at Wichita Falls, Tex., and for a clerk of said court, and for other purposes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. STEPHENS of Texas. Mr. Speaker, I ask that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent to consider the Senate bill S. 7644, a similar bill to the House bill.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to consider a similar Senate bill.

Mr. STAFFORD. Reserving the right to object, the Senate bill does not contain the amendment that the committee offered to the House bill.

Mr. MANN. I would like to ask the gentleman from Texas where did I get the impression that there was a Federal building at Wichita Falls?

Mr. STEPHENS of Texas. There is none and never has been one at Wichita Falls.

Mr. STAFFORD. I would like to ask the gentleman from Texas whether he intends to offer the committee amendment in the House bill to the Senate bill if the Senate bill is considered?

Mr. STEPHENS of Texas. The bills are identical, except that the amendment was offered to the House bill that Wichita Falls should furnish a room to hold the court.

Mr. STAFFORD. Will the gentleman from Texas offer that amendment to the Senate bill?

Mr. STEPHENS of Texas. I will.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read Senate bill 7644, as follows:

Be it enacted, etc., That the counties of Archer, Baylor, Clay, Cottle, Foard, Montague, King, Knox, Wichita, Wilbarger, and Young shall constitute a division of the northern judicial district of Texas.

Sec. 2. That terms of the district court of the United States for the said northern district of Texas shall be held twice each year at the city of Wichita Falls, in Wichita County, on the fourth Monday in March and the third Monday in November. The clerk of the court for the northern district of Texas shall maintain an office in charge of himself or a deputy at Wichita Falls, which shall be kept open at all times for the transaction of the business of the court.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Amend the Senate bill, on page 2, line 4, after the word "court," by adding thereto the following:

"Provided, That suitable accommodations for holding court at Wichita Falls shall be provided by the county or municipal authorities without expense to the United States."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. STEPHENS of Texas, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The bill H. R. 19299 was laid on the table.

TRANSFER OF LAND AT FOREST GROVE, OREG., TO THE UNITED STATES.

The next business on the Calendar for Unanimous Consent was the bill H. R. 13166, authorizing the Commissioner of Indian Affairs to transfer fractional block 6, of Naylor's addition, Forest Grove, Oreg., to the Department of Agriculture, for the use of the Bureau of Entomology.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like to inquire of the author of the bill what is the need of this school site being transferred to the Bureau of Entomology? There is no report here from the Agricultural Department.

Mr. HAWLEY. There were some statements about it in the papers submitted favorable to the action proposed in the bill. The situation is this: The land was transferred to the Commissioner of Indian Affairs, to be located at Forest Grove, many years ago, but the school was removed to Chemawa, near Salem, and the lands have been unused by the school for a long time. They continued out of such use probably 25 years. The Bureau of Entomology in the Department of Agriculture has an experiment station located there, which has charge of all the experiments connected with the ravages of pests and insects affecting forage and other crops in the Pacific Northwest.

Mr. STAFFORD. The station is at present in existence at this place?

Mr. HAWLEY. Yes; and they are using these lands for that purpose.

Mr. STAFFORD. I wish to know whether it was the establishment of a new station?

Mr. HAWLEY. No; it has been there established three or four years.

Mr. STAFFORD. And it is to continue a work already in progress.

Mr. HAWLEY. Yes.

Mr. MANN. What is the value of this land?

Mr. HAWLEY. I have no idea. It is not a valuable tract; it is a small tract, less than an acre, I think.

Mr. MANN. What would the Bureau of Entomology do with an acre?

Mr. HAWLEY. They plant clover and other crops on the land that are affected by pests, and they make experiments and study the life history of the pests, and instead of having to go out to the fields where the pests are infesting the crops they can make these studies on this tract.

Mr. MANN. We will have to pay for this land, will we not?

Mr. HAWLEY. No. It was given to the Commissioner of Indian Affairs in the Department of the Interior.

Mr. MANN. It was deeded to him as a trustee, was it not?

Mr. HAWLEY. Yes; as I recall.

Mr. MANN. Will we not have to pay for the land?

Mr. HAWLEY. No.

Mr. MANN. Plainly we will, unless the gentleman has more information than is contained in the report:

* * * The land involved at Forest Grove was purchased with funds contributed by persons interested in the Indians' welfare and deeded to the "Commissioner of Indian Affairs for the time being, as trustee for the Forest Grove Indian Training School, and to his successors in office." As the land at Forest Grove is not in use, the Indian school now being located at Salem, and as Congress makes gratuity appropriations for the support of the school at the latter place, I see no objection to the enactment. * * *

But if the gentleman stays in Congress for two years more he will be offering a bill to send the claim of these Indians to the Court of Claims to find out what this land is worth, so as to reimburse them.

Mr. HAWLEY. The gentleman from Oregon would introduce no such bill, because the land was donated by public-spirited citizens for the benefit of the Indian school, and when the Indian school was removed gratuity appropriations were made and are now being made for the purpose of supporting the school. The people who donated the land told me they would like to have it now used for this station.

Mr. MANN. Let me give the gentleman one instance, and then I will not say anything more. Not long ago we referred a matter to the Court of Claims, and the Court of Claims found that we owed the Cherokee or some other tribe of Indians \$1,000,000 and more as of 1838—everybody dead and gone who knew anything about it—upon which we are paying 5 per cent interest since 1838, and some day we will pay for this land and 5 per cent interest.

Mr. HAWLEY. I think not.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Commissioner of Indian Affairs, under the direction of the Secretary of the Interior, is hereby authorized and directed to transfer all right, title, and interest in fractional block 6 of Naylor's addition to the city of Forest Grove, in Oregon, to the Secretary of Agriculture, for the use of the Bureau of Entomology.

With the following committee amendments:

Page 1, line 7, strike out the words "Secretary of Agriculture" and insert in lieu thereof the words "United States of America."

Page 2, line 1, after the word "Entomology," insert the words "Department of Agriculture."

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill authorizing the Commissioner of Indian Affairs to transfer fractional block 6 of Naylor's addition, Forest Grove, Oreg., to the United States of America, for the use of the Bureau of Entomology, Department of Agriculture."

On motion of Mr. HAWLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD, by direction of the Committee on Appropriations, reported the bill (H. R. 20967) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes, which was read a first and second time, and, with the accompanying report (No. 1508), ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. MONDELL. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Wyoming reserves all points of order on the bill.

EXCHANGE OF LANDS IN WYOMING.

The next business on the Calendar for Unanimous Consent was the bill (S. 4282) to permit the State of Wyoming to relinquish to the United States lands heretofore selected and select other lands from the public domain in lieu thereof.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

Mr. MONDELL. Mr. Speaker, will the gentleman object to allowing the bill to remain on the Unanimous Consent Calendar?

Mr. MANN. Mr. Speaker, the gentleman has the right to put it on again.

Mr. MONDELL. I hope that the gentleman will not object to its remaining on the calendar. It is a very important piece of legislation, and I hope I may persuade him that it ought to pass.

The SPEAKER. Has the gentleman any request to make?

Mr. MANN. The gentleman can place it upon the calendar.

Mr. MONDELL. It will go to the foot of the calendar.

Mr. MANN. I think it ought to go to the foot of the calendar. I think we will be able to run through the calendar before the end of the session.

The SPEAKER. The gentleman from Illinois objects.

AIDS TO NAVIGATION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 19067) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes.

The SPEAKER. Is there objection?

Mr. COX. I object.

The SPEAKER. The gentleman from Indiana objects, and the bill is stricken from the calendar.

Mr. ADAMSON. Mr. Speaker, is the gentleman willing to reserve that objection?

Mr. COX. I will reserve it for a moment, but I am going to object to it.

Mr. ADAMSON. Mr. Speaker, I wish to state this is the department's bill authorizing such aids to navigation as appear to be necessary to the service. They are not appropriations, but merely authorizations, a very important bill, and should pass in my judgment and in the judgment of the committee. The department is very anxious it should be considered, and I do not think the gentleman ought to object to it.

The SPEAKER. Is there objection?

Mr. COX. I object.

The SPEAKER. The gentleman from Indiana objects, and the bill is stricken from the calendar.

NATIONAL EMPLOYMENT BUREAU.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 5783) to provide for the establishment of a national employment bureau in the Department of Labor.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. COX. Mr. Speaker, I object.

The SPEAKER. The gentleman from Indiana objects, and the bill is stricken from the calendar.

ADDITIONAL JUDGE FOR MONTANA.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 789) providing for an additional judge for the district of Montana.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The bill is stricken from the calendar.

Mr. EVANS. Mr. Speaker, will the gentleman from Illinois reserve his objection and let the bill remain on the calendar?

Mr. MANN. The gentleman can put it on the calendar, where it will go in the proper place. I will say, frankly, I think we ought some way at some time to go clear through the Unanimous Consent Calendar. Nearly every time when one of the old bills is considered on the calendar and objection is made, the gentleman in charge of it wants to have the objection reserved and to make a speech on it. The gentleman can put his bill on the calendar again; he is not denied that right.

Mr. HULBERT. Mr. Speaker, I desired to reserve the right to object to this bill for the purpose of getting some information.

Mr. MANN. I think we ought to go on to the next bill, so I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar.

DESERT-LAND ENTRIES.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 1068) relating to desert-land entries.

The Clerk read the title of the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the right to make a desert-land entry shall not be denied to any applicant therefor who has already made an enlarged-homestead entry of 320 acres: *Provided,* That said applicant is a duly qualified entryman and the whole area to be acquired as an enlarged-homestead entry and under the provisions of this act does not exceed 480 acres.

The bill was ordered to be read the third time, was read the third time, and passed.

SAFETY OF EMPLOYEES AND TRAVELERS UPON RAILROADS.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 15950) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. COX. Mr. Speaker, I object.

The SPEAKER. The bill is stricken from the calendar.

UNITED STATES DISTRICT ATTORNEY, RHODE ISLAND.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 10110) to increase the salary of the United States district attorney for the district of Rhode Island.

The Clerk read the title of the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. O'SHAUNESSY. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That from and after the passage of this act the salary of the United States district attorney for the district of Rhode Island shall be at the rate of \$5,000 a year.

The committee amendment was read, as follows:

Strike out, in line 5, the figures "\$5,000" and insert in lieu thereof "\$3,500."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

NATIONAL RESOURCES OF THE PUBLIC DOMAIN.

The next business in order on the Calendar for Unanimous Consent was H. Res. 418, authorizing certain members of the Committee on the Public Lands of the House of Representatives to make investigations relative to national resources of the public domain.

The Clerk read the title of the House resolution.

The SPEAKER. Is there objection?

Mr. COOPER of Wisconsin. Mr. Speaker, I object.

Mr. MANN. Will the gentleman withhold his objection?

Mr. COOPER of Wisconsin. Mr. Speaker, I reserve the right to object.

Mr. MANN. I want to ask a question. Did the gentleman ascertain whether a simple resolution of this sort would have any effect or not?

Mr. FERRIS. I did take it up with the Committee on Accounts after talking to the gentleman from Illinois, and they said there were two precedents where it was held to be sufficient; one of them was the half-and-half investigation and one other that—

Mr. MANN. That this House can by resolution provide for expenditure of the contingent fund after the final adjournment of Congress?

Mr. FERRIS. I remember the suggestion of the gentleman—

Mr. MANN. Or was the other in vacation?

Mr. FERRIS. The other was in vacation, just as this is.

Mr. MANN. That is between sessions; that is quite a different thing.

Mr. FERRIS. Oh, no; it carried on over to the succeeding Congress. It is an identical case with this.

Mr. MANN. After the final adjournment of Congress?

Mr. FERRIS. After Congress had adjourned. I recall the suggestion of the gentleman from Illinois. I followed his suggestion and consulted the chairman of the Accounts Committee. I feel sure the resolution will accomplish it.

The SPEAKER. Is there objection?

Mr. COOPER of Wisconsin. I object.

Mr. FERRIS. Will the gentleman from Wisconsin reserve the right to object for a moment?

Mr. COOPER of Wisconsin. No; I think I will object.

The SPEAKER. The bill is stricken from the calendar.

BADGE OF UNITED DAUGHTERS OF CONFEDERACY OF VIRGINIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 19771) to permanently renew patent No. 24917.

The SPEAKER. Is there objection?

Mr. BORLAND. Reserving the right to object, can we have the bill reported?

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That a certain design patent issued by the United States Patent Office of date November 26, 1895, being patent No. 24917, is renewed and extended for a period of 14 years from and after the passage of this act, with all the rights and privileges pertaining to the same as of the original patent, being generally known as the badge of the United Daughters of the Confederacy of Virginia.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to renew patent No. 24917."

PURCHASE OF EMBASSY, ETC., BUILDINGS ABROAD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 19122) to amend the act of Congress of February 17, 1911, entitled "An act providing for the purchase or erection, within certain limits of cost, of embassy, legation, and consular buildings abroad.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

Mr. ROGERS. Will the gentleman reserve his objection?

Mr. STAFFORD. I reserve it.

Mr. ROGERS. This bill was reported unanimously from the Committee on Foreign Affairs after full hearings. It is an exceedingly opportune moment to pass the bill at the present time because of the fact that the American dollar is worth very much more in making purchases abroad of embassies and legations than it would be after the war. The State Department is particularly anxious to have an embassy purchased at Petrograd. There is said to be a discount of 40 per cent on the ruble, so that our money would go almost half again as far as it would in normal financial times.

Mr. MANN. If that is the case we would purchase now practically for \$150,000 what would cost in times past \$220,000?

Mr. ROGERS. The proposition now is to pay \$450,000 for a building that would cost about \$650,000 in peace times.

Mr. STAFFORD. The gentleman is not considering the condition of the Treasury at the present moment.

Mr. ROGERS. The gentleman understands that this measure involves the expenditure of not an additional dollar beyond that contemplated under the Lowden Act.

Mr. STAFFORD. I understand that we leave the exemption of \$150,000—

Mr. ROGERS. The Lowden Act limited the expenditures to \$150,000 in any one city. The effect of that has been that we have been unable to purchase any embassies or legations in the great capitals of Europe, where we needed them the most.

Mr. MANN. The gentleman said this would not affect the intent of the Lowden Act. I drew the Lowden Act myself. I would say it would very materially affect the intent of it.

Mr. ROGERS. I did not say it would not affect the intent of it. I said it would not necessarily involve the United States in any additional financial outlay.

Mr. MANN. It would involve the United States in a great deal more money in the course of years. I am not undertaking to say whether we ought to have it or not. The Lowden Act was the result of years of agitation. It was, of course, a compromise. The gentleman from Ohio [Mr. LONGWORTH], before Mr. Lowden was here, had the same proposition pending before the House. The Lowden Act was a compromise. The gentleman's amendment now proposes to lift the lid off entirely, with absolutely no limitation as to the amount the Government may pay at any one place.

Mr. ROGERS. Within the \$500,000.

Mr. MANN. Not at all within the \$500,000 limit. If you spent only \$500,000 in one year, you might take 10 years in paying for the place, and the gentleman's bill now would make in order a provision to pay \$2,000,000 for a building at Petrograd.

Mr. ROGERS. Would the gentleman be willing to tolerate a modification of the language?

Mr. MANN. I am only calling the attention of the gentleman to what would be done. I have not raised any objection myself.

Mr. LONGWORTH. May I have the attention of the gentleman from Wisconsin [Mr. STAFFORD]? Would the gentleman object to the bill if an amendment should be offered to restore the present limit of \$150,000 in any one place except in places where the population is in excess of 1,000,000?

Mr. STAFFORD. I thought of putting a limit there of \$150,000.

Mr. FITZGERALD. Let me ask the gentleman a question. What is the purpose of this bill? To permit the purchase of an embassy at Petrograd?

Mr. LONGWORTH. Not directly.

Mr. FITZGERALD. I think that is the real purpose of it. They tried to put it in the diplomatic bill, and could not, because it was not authorized by law. Then they tried to put it in the deficiency bill, and now they try to put it on this bill.

Mr. LONGWORTH. If the gentleman will pardon me, this would have nothing to do—

Mr. FITZGERALD. The only place now in the world where that price would prevail is at Petrograd, where they are proposing \$485,000.

Mr. LONGWORTH. The gentleman recognizes, of course, that under the Lowden bill if we do not raise the \$150,000 limit we will never have an embassy building in Petrograd, Berlin, Vienna, or Paris.

Mr. FITZGERALD. Why not?

Mr. LONGWORTH. Because it is utterly impossible for us to get suitable land in those cities for that purpose.

Mr. FITZGERALD. That is nonsense. You can get it in New York for that.

Mr. LONGWORTH. While I do not particularly recommend that this building should be at Petrograd or at any one capital, it is impossible under the present law ever to have suitable embassies in the large capitals. And when I say suitable embassies, I do not mean the buildings to be used only for the embassies, but for the chancelleries as well.

That is where the actual business of the American Government will be carried on, instead of at some office down a by-street as it is in most cases now.

Mr. MANN. Will the gentleman from Ohio or the gentleman from Massachusetts give me this information? Has a building been selected at St. Petersburg? I use the term "St. Petersburg."

Mr. LONGWORTH. Yes.

Mr. MANN. How many rooms has it in it?

Mr. LONGWORTH. A very large number.

Mr. MANN. How many?

Mr. LONGWORTH. I think there are 70.

Mr. MANN. Seventy or one hundred?

Mr. LONGWORTH. As I remember the correspondence, which, by the way, was confidential, I think there were 70.

Mr. MANN. I do not know where I got the information; it may have soaked into me somewhere, and I may not have gotten the right impression, as in that other case, but my impression is that they have picked out a building with 100 rooms in it.

Mr. ROGERS. When the committee selected the limit or classification named there was no question of any particular city that would be benefited by this bill.

The SPEAKER. Is there objection?

Mr. FOSTER. I object, Mr. Speaker.

The SPEAKER. The gentleman from Illinois objects. The Clerk will report the next bill.

ENTRY ON RECLAMATION WITHDRAWALS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17085) to permit homestead and desert-land entry on lands withdrawn for reclamation purposes.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER. The gentleman from Wisconsin objects. The bill will be stricken from the calendar.

Mr. SINNOTT. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. STAFFORD. Yes. I will be glad to accommodate the gentleman.

The SPEAKER. The gentleman withholds his objection.

Mr. SINNOTT. Mr. Speaker, in the various Western States there are now withdrawn from all forms of entry over 11,000,000 acres of land including some privately owned land. This land is lying idle at the present time and is not used by anybody. This bill will permit this land to be entered subject to the right of the Government to take over the land whenever it is needed for reclamation purposes. It will put into immediate use 11,000,000 acres. In the State of Oregon alone there are something like 1,900,000 acres withdrawn from entry and withdrawn from use.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. SINNOTT. Certainly.

Mr. MANN. Admitting the full force of what the gentleman says, does he doubt, if some one would go on the land under the terms of this act and afterwards the Government should want the land, and that man has improvements on it, we would be asked to pay for those improvements?

Mr. SINNOTT. No. The man specifically enters the land, with the understanding that he is not to be compensated.

Mr. MANN. If a man enters homestead land to-day, the Government makes no guarantee to him, and yet we have a number of bills on the Private Calendar now to pay money to men who located lands that they afterwards bought.

Mr. SINNOTT. He makes the entry without specific agreement.

Mr. MANN. He does that when he goes on the homestead, too. Mr. SINNOTT. He specifically waives any claim there.

Mr. MANN. It would not make any difference what he waives. He might die. Whether he did or not, there would be a claim made here inevitably. I think something ought to be done, but I do not really believe that this is the way to do it.

Mr. SINNOTT. If he would apply to Congress for reimbursement hereafter, his damages would amount to very little. It would be only a right of way for a ditch or something like that.

Mr. MANN. Suppose he had a building on the land and the land was afterwards overflowed and the building ruined or destroyed?

Mr. SINNOTT. He would get nothing.

Mr. MANN. It would be unconscionable on the part of the Government to permit him to go ahead and construct a farmhouse and a barn and other buildings and then take it away without paying him for them.

Mr. SINNOTT. He does that at his own hazard. It would be better to do that than to have 11,000,000 acres lying idle and useless.

Mr. MONDELL. Mr. Speaker, the way to remedy this sort of thing is to get the department to restore these lands that are not needed and are not used for reclamation purposes. We in the other public-land States have difficulties similar to those encountered by the gentleman from Oregon. I have a number of cases now pending before the department of that kind. If the gentleman will labor long enough and industriously enough with the department, I think he can get them to restore those lands that can be clearly shown will not be used for reclamation purposes, and if that condition can not be shown the lands would not be entered, because, as the gentleman from Illinois [Mr. MANN] has well said, we should not allow settlers to go upon lands, even by waiving all of their rights, if the lands are eventually to be desired and taken over by the Government for its purposes.

Mr. SINNOTT. We have labored long and industriously to get these lands restored. Some of these lands will ultimately be irrigated, but from the report of the Secretary of the Interior it is apparent that there will be no money available probably in the next 15 or 20 years to get these lands irrigated. In the meantime the land should be tilled and cultivated.

Mr. BORLAND. Mr. Speaker, will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. BORLAND. Does not the gentleman recollect that one of the objections that the department has always made to the original reclamation law was that it permitted this very thing? It permitted homestead entries upon lands that were to be withdrawn for reclamation.

That has been one of the greatest difficulties encountered in carrying out that act. People would rush upon the land that the department was not prepared to irrigate, and although they were there, knowing that there was no plan to irrigate the land, there would be a constant moral claim that the Government should do something for them. And then again, as the gentleman knows, when the lands are finally irrigated some man may have a homestead or a desert-land claim that is entirely too large for him to irrigate, and he is placed in the position of a speculator or else he is withholding his land from the use which is contemplated under an irrigation project.

Mr. SINNOTT. Under the old law they had the right to make entries as a matter of right. Under this bill they make entry only in the discretion of the Secretary of the Interior. The bill is intended to relieve a situation which has caused much embarrassment in the department according to the Secretary's report on this bill.

Mr. BORLAND. If these lands are finally irrigated, some man with 160 acres as a homestead will have more land there than can possibly be cultivated, and he will be in a position where he can not respond to either the construction or other charges.

Mr. SINNOTT. He will have to conform to the farm unit established by the Secretary.

Mr. BORLAND. You are asking him to do something that he has no right to do, and you are giving him a 160-acre home-

stead. These lands should be left in a position where they can be restored to entry.

Mr. SINNOTT. I can not agree to that.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER. The gentleman from Wisconsin objects, and the bill is stricken from the calendar.

RECLAMATION OF CERTAIN LANDS IN OREGON.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20362) providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BORLAND. Reserving the right to object, I should like to have the bill reported.

The SPEAKER. The Clerk will report the bill.

The bill was read.

The SPEAKER. Is there objection?

Mr. BORLAND. Mr. Speaker, reserving the right to object, I should like to have the gentleman explain the merits of this proposition.

Mr. SINNOTT. The company which has contracted to reclaim these lands has been unable to reclaim them within the allotted time.

Mr. BORLAND. That is 15 years, is it not?

Mr. SINNOTT. Yes. The time will expire on list No. 6 next February, and on the other list two years after that. The company claims to have expended \$1,500,000 up to the present time in the reclamation of these lands.

Mr. BORLAND. How has that money been expended? What has been done with the \$1,500,000?

Mr. SINNOTT. It has been expended on a dam on the Des Chutes River and on a number of canals, as is shown in the report. There are at the present time on this project 1,500 settlers and 730 farms. The appraisal of the farms last year, 1916, was \$2,502,000.

Mr. BORLAND. What has been the obstacle to their completing their improvements within the 15 years?

Mr. SINNOTT. They have had both financial and physical difficulties—financial difficulties in securing the money and physical difficulties in the character of the country they have had to run through. They are irrigating in a volcanic country.

Mr. MANN. Is it not also true that they have gone ahead as fast as they could get settlers?

Mr. SINNOTT. The report of the State land board shows that.

Mr. MANN. Have they not always had more land than they have had settlers coming in?

Mr. BORLAND. They all have that condition, but here is what I would like to ask the gentleman: What is the prospect of their being able to attain ultimate success? The gentleman says they are irrigating in a volcanic country, where there are physical difficulties. Are they going to be able to bring the project to success?

Mr. SINNOTT. They have remedied a number of these difficulties, and they expect to achieve success within the 10-year extension period. This is similar to the ordinary Government reclamation project. They had to extend the time on those Government projects for 20 years, and they have met some of the same difficulties.

Mr. BORLAND. If they have expended their money in good faith, I am inclined to think they ought to be given a chance.

Mr. MANN. I think the gentleman will find one of the main reasons for asking the extension is that they have not been able to certify that they have the required number of settlers on some of this land, as the law requires.

Mr. BORLAND. If they have expended their money in good faith and have a reasonable prospect of success in the future, I think they ought to have a chance.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. SINNOTT. I ask unanimous consent that the corresponding Senate bill (S. 8044) be substituted for consideration in place of this bill.

Mr. FERRIS. And that it be considered in the House as in Committee of the Whole.

Mr. SINNOTT. And that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Oregon asks unanimous consent to consider this bill in the House as in Committee of the Whole, and that the Senate bill (S. 8044) be substituted for the House bill. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read the bill (S. 8044) providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, within his discretion, to extend for a period of not exceeding 10 years the time of segregation in the Oregon Carey Act segregation lists Nos. 6 and 19, the two areas comprising 140,714 acres, in the aggregate, approximately 86,000 acres of which are irrigable, same being situated in Crook County, Ore.: *Provided,* That the Secretary of the Interior is further authorized to grant to the State of Oregon a similar extension of 10 years for the reclamation of said lands in addition to the time allotted under existing rules, regulations, contracts, and laws.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. SINNOTT, a motion to reconsider the vote by which the bill was passed was laid on the table.

By unanimous consent the corresponding House bill (H. R. 20362) was laid on the table.

ALCOHOLIC-LIQUOR ADVERTISING.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18986) to exclude alcoholic-liquor advertising from the United States mails.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. HULBERT. I object.

Mr. RANDALL. The gentleman from New York will realize that the whole agony is coming up to-morrow anyway. Why not have part of it to-day? To-morrow the House will be asked to concur in a similar amendment to the Post Office appropriation bill, including the Reed amendment. Will the gentleman withdraw his objection?

Mr. HULBERT. No; I must press the objection. I do not think it is a matter to be disposed of by unanimous consent.

The SPEAKER. Is there objection?

Mr. HULBERT. I object.

LANDS IN GLACIER NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (S. 778) to authorize an exchange of lands with owners of private holdings within the Glacier National Park.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects. The bill will be stricken from the calendar.

SURPLUS COAL LANDS IN INDIAN RESERVATIONS.

The next business on the Calendar for Unanimous Consent was the bill (S. 40) to authorize agricultural entries on surplus coal lands in Indian reservations.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MONDELL. I object.

The SPEAKER. The gentleman from Wyoming objects. The bill will be stricken from the calendar.

PROOF OF WIDOWHOOD IN PENSION CLAIMS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20353) concerning proof of widowhood in claims for pension.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER. The gentleman from Wisconsin objects. The bill will be stricken from the calendar.

Mr. FULLER. Mr. Speaker, would it be in order now to move to suspend the rules and pass this bill?

The SPEAKER. It would not. The Clerk will report the next bill.

PUBLIC BUILDING AT PITTSBURGH, PA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18894) to amend the public-building act approved March 4, 1913, authorizing the acquisition of a suitable site for a public building at Pittsburgh, Pa.

The SPEAKER. Is there objection?

Mr. CASEY. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provision of the public-building act approved March 4, 1913 (37 Stat., p. 876), which authorizes the acquisition of a suitable site, etc., at Pittsburgh, Pa., be, and the same is hereby, amended so as to add the following proviso, namely:

"Provided, That the Secretary of the Treasury may, in his discretion, accept a title which reserves or excepts all ores or minerals on the lands with the right of mining the same."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CASEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

HOMESTEAD ENTRY ON WATER-POWER SITES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 7632) to provide for a homestead entry on water-power sites.

The SPEAKER. Is there objection?

Mr. MANN. I object.

CLAIM OF CHEROKEES FOR INTEREST.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6444) providing for the payment of certain items of interest on the judgment of the Court of Claims of May 18, 1905, in favor of the Cherokees, and for other purposes.

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. HASTINGS. Will the gentleman reserve his objection?

Mr. MANN. I will at the request of the gentleman.

Mr. HASTINGS. Mr. Speaker, the Court of Claims in 1905 rendered a judgment in favor of the Cherokee Nation in which there were four items. Subsequently, in 1910, the large items of this money was paid. The Indians have claimed ever since that there was an error in the calculation of interest allowed by the court as paid to them. I introduced a bill—H. R. 6444—making an appropriation for it. It was referred to the Committee on Indian Affairs, and it referred it to the Secretary of the Interior for report. The Secretary of the Interior referred it to the comptroller, who admitted that there was an error. The Secretary of the Interior admits there was an error. In the meantime the House Committee on Indian Affairs has reported back H. R. 6444 in two sections. Section 1 makes the appropriation for interest on two items. The next section referred the whole matter to the Court of Claims. In the meantime the Senate passed a bill practically the same, except a slight amendment in four or five words, as section 2. The bill that passed the Senate is now here on the Speaker's table. It was my purpose, if this bill was considered, to ask that the Senate bill be substituted.

Mr. MANN. Mr. Speaker, some years ago a bill was passed authorizing the Cherokee Tribe of Indians to file suit in the Court of Claims. I think it was a slimsy claim, but the Court of Claims did not agree with me. They found the Government of the United States, among other items, owed these Indians the sum of \$1,111,284.70 and interest thereon at the rate of 5 per cent from June 12, 1838, to date of payment. The interest figured to date amounts to nearly five times what the principal amounted to. A pretty slimsy claim to begin with.

Mr. HASTINGS. But the Supreme Court of the United States affirmed the decision of the Court of Claims.

Mr. MANN. Oh, yes; but that means that the Indian attorneys were brighter than those for the Government, and so forth. Now, having obtained 5 per cent interest on this old stale claim since 1838 they want a little more interest on some other claims on technical grounds. They had no legal claim at first. They would not be willing to go back and open up the whole suit to say whether they were entitled to any interest or anything on their claim at all.

Mr. HASTINGS. I am willing the gentleman should frame an amendment to open up the whole suit, and if he will put it on this bill I will be glad to accept it. I claim that it is a meritorious claim.

Mr. MANN. If the gentleman can get an agreement with the Senate that we have legal authority to set aside the judgment and put that in the bill, we can pass it so quickly that it will make his head swim.

Mr. HASTINGS. Oh, we would not go back and set aside the old judgment. I mean to say that we would be glad to look into the merits of this claim.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar.

OILLALA SLOUGH, LINCOLN COUNTY, OREG.

The next business on the Calendar for Unanimous Consent was the bill (S. 1697) to declare Oillala Slough, Lincoln County, Oreg., nonnavigable.

The SPEAKER. Is there objection?

Mr. RAKER. I reserve the right to object.

Mr. COOPER of Wisconsin. I am wondering how the majority of us know whether that is navigable or nonnavigable.

Mr. HAWLEY. Ollala Slough is a small branch of the Yaquina River, emptying into the river about 12 or 14 miles from the ocean. It is navigable at its mouth. I have forgotten how wide it is, but for some 2 miles there is some navigation which is not involved in this bill, but above that it is only the lower reach of a small mountain stream. This bill proposes to build a dike at the upper end of the 2-mile portion to reclaim the land, which is salt land and of little value.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. GARRETT. Has the portion which the gentleman desires to affect been under improvement by the Federal Government?

Mr. HAWLEY. It never has. The Ollala Slough has never been under improvement by the Federal Government.

Mr. GARRETT. Why does the necessity exist for having the Government declare a negative? Navigability is not a matter of law. It is a matter of fact.

Mr. HAWLEY. If the gentleman will yield, in a number of instances coming under my observation the department holds that water which can be used to float saw logs on or run a canoe upon and which has been so used is navigable, and that it can not be closed without consent of Congress.

Mr. GARRETT. May I ask the gentleman, for my own information, does the idea of the navigability grow out of the fact that these were all once Government lands? Is there anything of that sort involved in it?

Mr. HAWLEY. I think not.

Mr. GARRETT. This has been a somewhat interesting question to me.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. GARRETT. In a moment. Drainage propositions have arisen in the section which I have the honor to represent, and there have been some appeals to me at times to undertake to secure the passage of measures declaring certain streams not navigable. I have taken the position that the question of navigability of a stream is a matter of fact rather than a matter of law. There have been parts of certain streams under improvement by the Federal Government, but all we had to do there was to go to the War Department, submit our plans, and secure the permission. I will say that the improvement had been abandoned.

Mr. MANN. If the gentleman will permit, I think we have a case in our State where private parties spent a large sum of money upon the improvement of Des Plaines River, upon the theory that it was nonnavigable; then, when it became an important matter in connection with the drainage canal, the Government instituted a suit to declare that it was navigable. Of course it is a question of fact. The suit was instituted, and that is what everybody wants to avoid—making an improvement where a suit may afterwards be instituted to set it aside.

Mr. GARRETT. I am not going to object to the bill.

Mr. HAWLEY. Along the same line the gentleman was speaking upon a moment ago—about four years ago authority was given by a permit of the War Department to construct a dike across the slough, with a gate through which boats could pass. This was located near the mouth of the slough. That dike was constructed and the gate was put in, but objection was made, and it was ordered that the gate be taken out. The people who put in the money lost all of it. They are now going back farther up the slough where it will never be used for any navigation whatever, to enable 14 farmers to reclaim their lands—some 250 acres—that are now worth only a few dollars an acre, but which when redeemed will be worth up to \$500 an acre for dairy purposes—the richest kind of land.

Mr. GARRETT. I am not objecting to the bill, but it does seem to me a very peculiar thing that a Government should have to declare a negative, in order to reach the thing which the gentleman desires, because, as I have said, the navigability of a stream is not a question of law but is a question of fact.

Mr. MANN. This is navigable by rowboat.

Mr. HAWLEY. At high tide.

Mr. GARRETT. If I may be permitted to express this opinion, the mere declaration here that it is nonnavigable, while it will be very persuasive in the future, would not prevent a future Congress from reiterating that it was a navigable stream.

Mr. MANN. Mr. Speaker, I want to ask the gentleman from Oregon a question. Ollala Slough has a very familiar sound to me. I am sure it has been here before. Have we not passed a bill relating to this Ollala Slough at some time?

Mr. HAWLEY. Yes; the one to which I referred a moment ago.

Mr. MANN. The gentleman did not refer to any bill. I understood him to refer to a permit of the War Department.

Mr. HAWLEY. Then there was an act passed following the permit from the War Department.

Mr. MANN. I thought we had given a permit at some time to construct a dam.

Mr. HAWLEY. Farther down; and that proved impracticable, and now they are going back up beyond any possibility of navigation.

Mr. RAKER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question. How much land is there involved in this?

Mr. HAWLEY. There will be about 250 acres reclaimed.

Mr. RAKER. What is the depth of the water above the point where the gentleman asks to have it declared nonnavigable?

Mr. HAWLEY. Where the dike is to be located, at high water there will be about 4 feet, but when the tide is out there will be very little, with what fresh water there is coming down.

Mr. RAKER. The 250 acres now belong to the Government of the United States?

Mr. HAWLEY. They do not. They belong to private citizens, every acre of it. They own the whole thing; it is in their deeds. There is not a foot of land that the Government has any shadow of claim to at all.

Mr. RAKER. I do not quite get the point of the gentleman if it is all private land. I do not see how you can figure on the question of its being nonnavigable.

Mr. HAWLEY. They wish to shut the tide out; that is all. The tide runs over this land, and they want to shut it out.

Mr. RAKER. Does not the Government have control over the land where the tide ebbs and flows?

Mr. HAWLEY. Only in the channel for navigation purposes. This slough was never meandered and the deeds call for every foot of the land. There is no question, and the War Department raises no question about it being privately owned land. They would have given the permit, but such a permit could be revoked after the dike was constructed and the farmers subjected to loss. This is to enable the people to build a dike that will stay there.

Mr. RAKER. I still do not get the gentleman's point of view—of its being privately owned land. Where does the gentleman get the idea the Government has no control over it?

Mr. HAWLEY. It does have control of it now for the purpose of maintaining the navigability of the stream. This bill proposes to cut off three-quarters of a mile at the upper end of the slough where there is no navigation.

Mr. RAKER. As a matter of fact, does not the tide ebb and flow over this land?

Mr. HAWLEY. Yes.

Mr. RAKER. Does not the Government have absolute control over land where the tide ebbs and flows over it?

Mr. HAWLEY. It has control over the navigable portion of the stream.

Mr. RAKER. They are navigating on this farm; that is all right.

Mr. BENNET. Is not the exact situation that the War Department wants to be put in a position where, in relation to dikes, they will not have to give a dam? [Laughter.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. HAWLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

TEMPORARY VACANCIES IN LAND OFFICE.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 19781) relating to the temporary filling of vacancies occurring in the offices of register and receiver of district land offices.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, I object.

The SPEAKER. The gentleman from Wyoming objects.

Mr. HAYDEN. Will the gentleman reserve his right to object?

Mr. MONDELL. I will.

Mr. HAYDEN. I want to say the Senate has passed the Senate bill 7767, an identical bill which I want to substitute for the House bill. If consent can be given, I shall move to amend the Senate bill in accordance with the report of the House Committee on the Public Lands.

Mr. MONDELL. Mr. Speaker, I will say to the gentleman that certain folks have for years been trying to secure legislation under which settlers on the public domain from the time they first make their filing until their patents are finally denied years afterwards shall never have the opportunity to appear before

anyone except a clerk in the classified service of the Government, who in many cases has little sympathy for them, knows very little about the conditions under which they make and hold their entries, and is about the last man in the world who ought to be allowed without review to settle their cases. As the law now stands, registers and receivers are drawn from the body of the people in the country where public lands are entered. They are supposed to know, and generally they do know, about the lands and laws they administer. They are in sympathy with the men who, amid the hardships of the frontier, are trying to transform the wilderness into homes and make it fit to live upon. So far as I am concerned I shall never consent, I shall do all I can to prevent substituting for these judges, taken from the people and familiar with the situation, a clerk sent from the Land Office here, who may be entirely without qualifications to be a judge of the bona fides and good intentions of homestead settlers.

Mr. HAYDEN. If the gentleman will pardon me, the committee amendment provides he shall be an employee of the local land office. He will only be a temporary officer pending the appointment of a register and receiver.

Mr. MONDELL. Under the bill they can take a civil-service clerk from the Land Office, from the department here, who never saw an acre of public land, send him out to a local land office to-day, and to-morrow make him register or receiver. The gentleman says it is temporary. It might be, but on the other hand there is nothing to prevent these assignments becoming permanent. In fact, under this bill as the terms of the present registers and receivers expire clerks might be assigned to their duties permanently. In fact, under this bill in due time civil-service clerks might take and keep all the positions now held by registers and receivers. I am against it.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, I object.

RELIEF OF CERTAIN DESERT-LAND ENTRYMEN.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 18825) to amend an act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year 1915, and for prior years, and for other purposes."

The Clerk read the title of the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. TIMBERLAKE. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. TIMBERLAKE. Mr. Speaker, I ask unanimous consent that the committee amendment be read in lieu of the bill.

The SPEAKER. The gentleman asks unanimous consent that the committee amendment be read in lieu of the bill. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Strike out all after the enacting clause, down to and including line 11, on page —, and insert the following:

"That the provisions of the last three paragraphs of section 5 of the act of March 4, 1915, 'An act making appropriations to supply deficiencies in appropriations for the fiscal year 1915, and for prior years, and for other purposes,' be, and the same are hereby, extended and made applicable to any lawful pending desert-land entry made prior to March 4, 1915: *Provided*, That in cases where such entries have been assigned prior to the date of the act, the assignees shall, if otherwise qualified, be entitled to the benefit hereof."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. TIMBERLAKE, a motion to reconsider the vote by which the bill was passed was laid on the table.

PROBATION SYSTEM IN THE UNITED STATES COURTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20414) for the establishment of a probation system in the United States courts, except in the District of Columbia.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 20414) for the establishment of a probation system in the United States courts except in the District of Columbia.

Be it enacted, etc., That the courts of the United States having original jurisdiction of criminal actions, except in the District of Columbia, shall have power in any case, except those involving treason, murder, rape, arson, kidnapping, or a second conviction of a felony, after conviction or after a plea of guilty of a felony or misdemeanor and after the imposition of a sentence thereon but before commitment, to place the defendant upon probation, provided that it shall appear to the satisfaction of the court that the ends of justice and the best interests of the public

as well as of the defendants would be subserved thereby, and may suspend the execution of the sentence for such time and upon such terms as may be deemed best. The probationer shall be provided by the clerk of the court with a written statement of the terms and conditions of his probation at the time when he is placed thereon. He shall observe the rules prescribed for his conduct by the court and report as directed. No person shall be put on probation except with his or her consent.

Sec. 2. That upon the expiration of the term fixed for such probation, the court may thereupon discharge the probationer from further supervision, or may extend the probation, as shall seem advisable. At any time during the probationary term the court may modify the terms and conditions of the order of probation, or may terminate such probation, when in the opinion of the court the ends of justice shall require, and when the probation is so terminated the court shall enter an order discharging the probationer from serving the imposed penalty; or the court may revoke the order of probation and cause the rearrest of the probationer and impose a sentence and require him to serve the sentence or pay the fine originally imposed, or both, as the case may be, and the time of probation shall not be taken into account to diminish the time for which he was originally sentenced.

Sec. 3. That the provisions of this act shall also apply to cases where a judge or judges of courts of the United States of original jurisdiction have heretofore, after a plea or verdict of guilty, suspended the imposition or execution of sentence.

Also the following committee amendment was read:

Page 2, line 21, strike out the words "and impose a sentence."

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAYDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. HULBERT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the subject of this bill.

The SPEAKER. Is there objection?

Mr. BENNET. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from New York [Mr. BENNET] makes the same request. Is there objection? [After a pause.] The Chair hears none.

Mr. CARAWAY. Mr. Speaker, I make a similar request.

The SPEAKER. The gentleman from Arkansas makes a similar request. Is there objection?

There was no objection.

Mr. SIEGEL. Mr. Speaker, I make the request to insert in the Record at this time a letter written by the secretary of the National Probation Association in connection with the bill that was just passed.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The following is the letter referred to:

NATIONAL PROBATION ASSOCIATION,
Albany, N. Y., February 14, 1917.

Hon. ISAAC SIEGEL,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I am pleased to learn that the House will probably take up the probation bill for passage on Monday, February 19. I would say regarding the present bill (H. R. 20414) that while it does not accomplish all that we believe the bill should accomplish, especially in not providing for the appointment of salaries to probation officers, still it is better than nothing and will greatly relieve the present deplorable and impossible situation in the Federal courts, on account of which it is now absolutely impossible for the United States district court judges to suspend sentence or use probation in any case. We hope very much that this bill will pass the House as speedily as possible. I hope to hear any day that Senate bill No. 1092, reported out by Senator WALSH, has passed the Senate. We then trust that in conference committee a bill may be agreed upon satisfactory to all parties.

Under separate cover I am sending you about 25 copies of the enclosed circular, which contains the very latest statistics that I have been able to secure regarding the criminal work of the United States district courts, and also two illustrative cases showing the need of probation which occurred in this State, together with arguments for the proposition. I also send you copy of the House hearing, the Senate hearing, and my letter to Senator OWEN containing the original brief on the subject. I hope these will be of some assistance to you. The many thousands of persons who are interested in the extension of the advantages of the probation system throughout the country will be grateful to you for your active efforts in behalf of this much-needed reform.

Yours, very truly,

CHARLES L. CHUTE, Secretary.

ADDITIONAL JURISDICTION OF COURT OF CLAIMS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16212) to confer jurisdiction on the Court of Claims.

The SPEAKER. Is there objection?

Mr. REAVIS. I object.

HALIBUT FISHERIES IN PACIFIC OCEAN.

The next business on the Calendar for Unanimous Consent was the bill (S. 4586) to protect and conserve the halibut fisheries of the Pacific Ocean, to establish closed seasons in halibut fishing in certain waters thereof, and to restrict the landing of halibut in the United States of America and the Territory of Alaska during the closed seasons established.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, who has charge of this bill, which comes from the Committee on the Merchant Marine and Fisheries? I just wanted to ask the question. I notice in section 6 it says:

That this act shall take effect as soon as possible after the enactment of concurrent or essentially similar regulations by the Government of the Dominion of Canada, either by act of Parliament, order in council, or other proper means.

Mr. BORLAND. Mr. Speaker, I ask that the bill be passed without prejudice.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the bill be passed without prejudice. Is there objection?

Mr. MANN. I object.

AMENDMENT TO FEDERAL RESERVE ACT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17646) to amend section 6 of an act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes, approved March 14, 1900, as amended by the act of March 4, 1907, by the act of March 2, 1911, and by the act of June 12, 1916.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, does the gentleman from Arkansas [Mr. Wingo] have charge of the bill?

Mr. WINGO. I do.

Mr. MANN. The only change in the law is the law concerning the issue of certificates?

Mr. WINGO. That is the sole object.

Mr. MANN. There is no intention to amend the section otherwise?

Mr. WINGO. Oh, no. The only change made in the law is covered by the proviso on page 3 of the bill, lines 4 to 10, inclusive. By this change the issuance of certificates in \$100,000 denomination is permitted. These will be used for clearance purposes. That is the only change there is in the law.

Mr. BORLAND. Reserving the right to object, is there any purpose to amend this bill by changing the method of collecting the tax under the reserve-bank law?

Mr. WINGO. It has nothing to do with that. The only change is that it permits gold certificates to be issued in large denominations, to be used for exchange purposes and clearances. Under the law now they are limited to the size as to gold and silver certificates, and if this act is passed they can issue gold certificates of the denomination of \$100,000, and they can use those certificates in settlement of any balances in clearing.

Mr. BORLAND. I take it from what the gentleman says that an amendment providing a collection charge on checks would not be germane?

Mr. WINGO. No.

Mr. LINDBERGH. And, on page 2, after the words "And provided further," is that provision similar to the old law?

Mr. WINGO. The only change we make in section 6 of the old law is to be found on page 3. The sole change is to permit the \$100,000 certificates, which can not be done now under the law.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. WINGO. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 17646) to amend section 6 of an act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes, approved March 14, 1900, as amended by the act of March 4, 1907, by the act of March 2, 1911, and by the act of June 12, 1916.

Be it enacted, etc., That section 6 of an act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes, approved March 14, 1900, as amended by the act of March 4, 1907, by act of March 2, 1911, and by act of June 12, 1916, is hereby further amended to read as follows:

"Sec. 6. That the Secretary of the Treasury is hereby authorized and directed to receive deposits of gold coin with the Treasurer or any assistant treasurer of the United States in sums of not less than \$20, and to issue gold certificates therefor in denominations of not less than \$10, and the coin so deposited shall be retained in the Treasury and held for the payment of such certificates on demand, and used for no other purpose. Such certificates shall be receivable for customs, taxes, and all public dues, and when so received may be reissued, and when held by any national banking association may be counted as a part of its lawful reserve: *Provided*, That whenever and so long as the gold coin and bullion held in the reserve fund in the Treasury for the redemption of United States notes and Treasury notes shall fall and remain below \$100,000,000 the authority to issue certificates as herein provided shall be suspended: *And provided further*, That whenever and so long as the aggregate amount of United States notes and silver certificates in the general fund of the Treasury shall exceed \$60,000,000

the Secretary of the Treasury may, in his discretion, suspend the issue of the certificates herein provided for: *And provided further*, That of the amount of such outstanding certificates one-fourth at least shall be in denominations of \$50 or less: *And provided further*, That the Secretary of the Treasury may, in his discretion, issue such certificates in denominations of \$10,000, payable to order: *And provided further*, That if requested by the Federal Reserve Board, or by any Federal reserve bank or Federal reserve agent, the Secretary of the Treasury may, in his discretion, issue such certificates in denominations of \$100,000, payable to order, and such latter certificates shall not be subject to the limitations as to suspension of issue prescribed by this section: *And provided further*, That the Secretary of the Treasury may, in his discretion, receive, with the assistant treasurer in New York and the assistant treasurer in San Francisco, deposits of foreign gold coin at their bullion value in amounts of not less than \$1,000 in value and issue gold certificates therefor of the description herein authorized: *And provided further*, That the Secretary of the Treasury may, in his discretion, receive, with the Treasurer or any assistant treasurer of the United States, deposits of gold bullion bearing the stamp of the coinage mints of the United States or the assay office in New York, certifying their weight, fineness, and value, in amounts of not less than \$1,000 in value, and issue gold certificates therefor of the description herein authorized. But the amount of gold bullion and foreign coin so held shall not at any time exceed two-thirds of the total amount of gold certificates at such time outstanding. And section 5193 of the Revised Statutes of the United States is hereby repealed."

Mr. BENNET. Mr. Speaker, will the gentleman from Arkansas [Mr. Wingo] yield for a question?

Mr. WINGO. Yes; I yield.

Mr. BENNET. I notice from a reading of the bill that in connection with the issuance of the \$100,000 certificates there is a provision that it shall not be subject to the suspension laws. What does that mean?

Mr. WINGO. Here is the proviso:

Provided, That whenever and so long as the gold coin and bullion held in the reserve fund in the Treasury for the redemption of United States notes and Treasury notes shall fall and remain below \$100,000,000 the authority to issue certificates as herein provided shall be suspended.

The provision that we are putting into the law is for the issuance of gold certificates in denominations of \$100,000. The same reason that may exist for the suspension of a certificate provided for in the first part of the section which I quoted would not exist as to the issuance of gold certificates.

Mr. BENNET. Because they would not have a general circulation?

Mr. WINGO. Yes; because they would not have a general circulation as a matter of actual use. It would not be necessary to suspend the issuance of the \$100,000 gold certificates in order to protect the gold in the reserve trust fund. Does the gentleman understand?

Mr. BENNET. I can not say that I do, but I will take the gentleman's word for it.

Mr. WINGO. Under the law quoted when the amount of gold reserve trust funds falls below a certain sum, then you suspend the issuance of the certificates provided for in the first part of the section. But I think the gentleman will agree with me that the maintenance of these funds will not be impaired by the issuance of \$100,000 gold certificates, as provided by this amendment.

Mr. BENNET. These \$100,000 gold certificates can only be issued, then, when a man takes what is called "new gold"?

Mr. MANN. It is in payment for gold.

Mr. BENNET. I see.

Mr. WINGO. These large gold certificates would be preferable to the gold in effecting clearances.

Mr. BENNET. It really protects the actual gold?

Mr. WINGO. Yes.

Mr. MANN. We stamp the gold for nothing.

Mr. WINGO. I think the actual working of it will be to keep more gold in the funds referred to.

Mr. BENNET. I think the gentleman is right. In the large centers where these will be used—New York, Chicago, Kansas City, or any other place where gentlemen are proud of their city—it will be a convenience.

Mr. WINGO. The gentleman has a correct conception of the bill. It is really to have, for convenience, large denominations of gold certificates in settling clearances, instead of having bills of small denominations or the actual gold.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. The Clerk will report the next bill.

SURPLUS COAL LANDS IN INDIAN RESERVATIONS.

Mr. MANN. Mr. Speaker, a few moments ago I objected to Senate bill No. 40, Calendar No. 447. I did it purely through inadvertence. I ask that the question of the objection be again submitted.

The SPEAKER. The gentleman from Illinois states that he objected to Calendar No. 447 inadvertently and desires to withdraw his objection. The Clerk will report it by title.

The Clerk read as follows:

A bill (S. 40) to authorize agricultural entries on surplus coal lands in Indian reservations.

The SPEAKER. Is there objection?

Mr. MONDELL. Reserving the right to object, Mr. Speaker, I was on my feet with the intention of reserving the right to object when the gentleman from Illinois [Mr. MANN] objected. At that time, from a rather hurried reading of the bill, I was inclined to think that its provisions were rather dangerously broad, but after giving the matter further consideration and reading the bill pretty carefully I think the bill is carefully drawn, and I shall therefore not object.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire whether, if this bill becomes a law, it would grant the right to make entry to those who have already exercised their homestead rights?

Mr. MONDELL. It does not change the status.

Mr. MANN. It would not have any effect on that person.

The SPEAKER. Who has charge of this bill?

Mr. FERRIS. The gentleman from Arizona [Mr. HAYDEN].

Mr. MONDELL. I think it is very apparent, Mr. Speaker, that the bill will not in anywise affect the provisions of the homestead law as applied to the reservations in question. That is, whatever the provisions were under which the homestead law was made applicable to Indian lands those laws would remain as they are now—without change.

Mr. HOWELL. Mr. Speaker, the bill simply applies to coal lands in Indian reservations and gives the same opportunity to acquire such lands as the law now provides for entering similar lands on the public domain. It authorizes the entry of lands classified as coal lands, with a reservation to the United States of the coal thereunder and the right to prospect and mine the same.

Mr. STAFFORD. It would not deprive anybody heretofore possessed of the privilege from exercising that right?

Mr. HOWELL. No. It simply extends the surface rights of entry to Indian coal lands.

Mr. MONDELL. Mr. Speaker, if the gentleman from Utah will allow me, I wish he would not use the words "surface rights" in connection with the rights here involved. There are good reasons why we should not use that term in this connection and thus get confused. We have recently passed the 640-acre homestead law, granting surface rights only. But this is much more than a surface right; it is a limited right, a fee title, in which is reserved the body of this one mineral. It is a modified patent, a limited right. It is very different from the ordinary surface right. It is a much better title.

Mr. HOWELL. The gentleman from Wyoming [Mr. MONDELL] and I have exactly the same understanding of the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. FERRIS. This bill is on the Union Calendar.

Mr. HOWELL. I ask unanimous consent, Mr. Speaker, that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Utah asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That in any Indian reservation heretofore or hereafter opened to settlement and entry pursuant to a classification of the surplus lands therein as mineral and nonmineral, such surplus lands not otherwise reserved or disposed of, which have been or may be withdrawn or classified as coal lands or are valuable for coal deposits, shall be subject to the same disposition as is or may be prescribed by law for the nonmineral lands in such reservation whenever proper application shall be made with a view of obtaining title to such lands, with a reservation to the United States of the coal deposits therein and of the right to prospect for, mine, and remove the same: *Provided*, That such surplus lands, prior to any disposition hereunder, shall be examined, separated into classes the same as are the nonmineral lands in such reservations, and appraised as to their value, exclusive of the coal deposits therein, under such rules and regulations as shall be prescribed by the Secretary of the Interior for that purpose.

Sec. 2. That any applicant for such lands shall state in his application that the same is made in accordance with and subject to the provisions and reservations of this act, and upon submission of satisfactory proof of full compliance with the provisions of law under which application or entry is made and of this act shall be entitled to a patent to the lands applied for and entered by him, which patent shall contain a reservation to the United States of all the coal deposits in the lands so patented, together with the right to prospect for, mine, and remove the same.

Sec. 3. That if the coal-land laws have been or shall be extended over lands applied for, entered, or patented hereunder the coal deposits therein shall be subject to disposal by the United States in accordance with the provisions of the coal-land laws in force at the time of such disposal. Any person qualified to acquire coal deposits or the right to mine and remove the coal under the laws of the United States shall have the right at all times to enter upon the lands applied for, entered,

or patented under this act for the purpose of prospecting for coal thereon. If such coal deposits are then subject to disposition, upon the approval by the Secretary of the Interior of a bond or undertaking to be filed with him as security for the payment of all damages to the crops and improvements on such lands by reason of such prospecting. Any person who has acquired from the United States the coal deposits in any such lands, or the right to mine or remove the same, may re-enter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining and removal of the coal therefrom, and mine and remove the coal, upon payment of the damages caused thereby to the owner thereof, or upon giving a good and sufficient bond or undertaking in an action instituted in any competent court to ascertain and fix said damages: *Provided*, That the owner under such limited patent shall have the right to mine coal for personal use upon the land for domestic purposes at any time prior to the disposal by the United States of the coal deposits: *Provided further*, That nothing herein contained shall be held to deny or abridge the right to present and have prompt consideration of applications made under the applicable land laws of the United States for any such surplus lands which have been or may be classified as coal lands with a view of disproving such classification and securing a patent without reservation.

Sec. 4. That the net proceeds derived from the sale and entry of such surplus lands in conformity with the provisions of this act shall be paid into the Treasury of the United States to the credit of the same fund under the same conditions and limitations as are or may be prescribed by law for the disposition of the proceeds arising from the disposal of other surplus lands in such Indian reservation.

With the following committee amendment:

Page 4, line 10, insert:

Provided, That the provisions of this act shall not apply to the lands of the Five Civilized Tribes of Indians in Oklahoma.

The committee amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. HAYDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

WORLD'S PURITY FEDERATION.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 334) authorizing the President to appoint delegates to attend the Tenth International Congress of the World's Purity Federation, to be held in the city of Louisville, State of Kentucky, November 8 to 14, 1917.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was read as follows:

Resolved, etc., That the President of the United States be, and he is hereby, authorized and respectfully requested to appoint delegates to attend and represent the United States at the Tenth International Congress of the World's Purity Federation, to be held in the city of Louisville, State of Kentucky, November 8 to 14, 1917: *Provided*, That no appropriation shall be granted at any time for expenses of delegates or for other expenses incurred in connection with said congress.

Mr. FITZGERALD. Mr. Speaker, I move to amend by striking out the words "and respectfully requested" in line 4.

The SPEAKER. The gentleman from New York offers an amendment which the Clerk will report.

The Clerk read as follows:

Amend, on page 1, line 4, by striking out the words "and respectfully requested."

The amendment was agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

REESTABLISHMENT OF POST OFFICES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20687) to amend the postal laws.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLACK. Mr. Speaker, reserving the right to object, I would like to have the bill reported.

The SPEAKER. The Clerk will report the bill.

The bill was read as follows:

Be it enacted, etc., That the Postmaster General shall have authority, in his discretion, to reestablish as a post office of the second or third class any post-office station which has been heretofore or may hereafter be established by reason of the discontinuance of such post office; and appropriations made for the maintenance of post offices of the second and third class are hereby made available for the necessary expense of conducting such reestablished post office of the second or third class. The salary of the postmaster at such office shall be based on the gross receipts of the station for the previous calendar year.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I think some explanation should be made of this bill. I find in the report no mention whatever whether this bill has the approval of the Postmaster General or whether it has ever been submitted to the Post Office Department for its consideration.

Mr. RANDALL. I will say to the gentleman from Wisconsin that the bill was submitted to the Post Office Department, and the language of it was drawn by the officials of the depart-

ment. The department already has the power to discontinue post offices, even in a city of 10,000 people, but it has no power to reestablish them. This gives to the Post Office Department the power to reestablish post offices above the fourth class.

Mr. STEENERSON. That is only where the post office is within 5 miles of the principal office.

Mr. BLACK. That is correct.

Mr. STAFFORD. I know of many instances where post offices in suburbs having municipal government have been discontinued and substations established in connection with the main office in the large city to which the suboffices are tributary. I do not think it would be good business policy to grant authority to the Postmaster General to reestablish the old system of separate offices rather than to continue the present suboffices.

Mr. MANN. Mr. Speaker, I have a large number of postal stations in my district, established when post offices were discontinued, when the territory was annexed to the city of Chicago. This bill would permit the reestablishment of all those stations as post offices. People might want that done. I do not know. It would be an extravagance, and I am not going to put myself in a position where I may be asked to favor such a proposition, if I can help it.

Mr. RANDALL. Will the gentleman permit a question?

Mr. MANN. Yes.

Mr. RANDALL. If the Postmaster General should conclude that he had made a mistake in the exercise of his power to discontinue a post office, does not the gentleman think he ought to have the power to correct that mistake?

Mr. MANN. No; I do not think he can make a mistake in discontinuing a post office and establishing a substation in its place. To reestablish such post offices would simply call upon the Government to pay the salaries of these postmasters for doing nothing. I have been all through it.

Mr. RANDALL. Will the gentleman object to having this bill amended so as to apply to specific offices in California, which are not in the vicinity of Chicago?

Mr. MANN. I do not know that I would object as to some other place, if the circumstances were stated, but I decidedly object to having it apply to my district. Therefore I object.

Mr. RANDALL. Let me say to the gentleman that I will offer that kind of an amendment, if he will permit the bill to be considered.

Mr. MANN. Oh, well, the gentleman can have it called up later, when he has his bill prepared.

Mr. CANNON. Well, we will have no exceptions. If nobody else objects, I will object to the passage of this bill by unanimous consent.

Mr. MANN. I have objected.

Mr. CANNON. I say, we will have no exceptions.

The SPEAKER. The gentleman from Illinois objects.

UNITED STATES MARSHAL, WESTERN DISTRICT OF MICHIGAN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 19233) to increase the salary of the United States marshal for the western district of Michigan.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. RAKER. Reserving the right to object, Mr. Speaker, I called attention to this class of bills three weeks ago. I think gentlemen should have these bills referred to the proper committee, or when they are referred to other committees gentlemen ought to ask that they be transferred to the committee properly having jurisdiction.

Mr. McLAUGHLIN. This bill was referred to the Judiciary Committee.

Mr. RAKER. That is not the proper committee to which these bills should be referred. Bills like this should be referred to the Committee on Expenditures in the Department of Justice.

Mr. McLAUGHLIN. This bill has been very fully considered by the Committee on the Judiciary.

Mr. RAKER. That may be true.

Mr. McLAUGHLIN. There is no time in this session to have it rereferred. If it goes to the other committee it will not receive any consideration whatever. I think it might now be considered on its merits.

Mr. RAKER. That may all be true; but with the continued effort to legislate for increases of salary, it seems to me that the bill should be referred to the proper committees. There are 11 committees on expenditures in the executive departments, and these committees have jurisdiction of these matters. The Committee on Appropriations and the Committee on the Post Office and Post Roads are loaded down with such propositions, and here is one of these bills which has been referred

to the Committee on the Judiciary, that has no jurisdiction of such bills.

Mr. McLAUGHLIN. Does the gentleman think this is a good time in the session to call the attention of the House to that practice?

Mr. RAKER. Three weeks ago I called it to the attention of the House, and intended then to object if any more bills of this kind were brought up. I do not like to delay the gentleman in his bill or to hold it back, but it does seem that committees which are organized and instituted by the House for the purpose of considering such bills ought to be given the opportunity to do so. All you have to do is to look at the report of the expenditures of the House to see the money that is expended for the maintenance of the organization of many of these committees, without any work whatever being done by them. The bills ought to go to the committees having jurisdiction of the legislation, so that the big committees would not be burdened with them.

I withdraw the objection at this time.

The SPEAKER. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That from and after the passage of this act the salary of the United States marshal for the western district of Michigan shall be at the rate of \$4,000 a year.

The SPEAKER. This bill is on the Union Calendar.

Mr. McLAUGHLIN. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman asks unanimous consent to consider this bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

STATE OF FLORIDA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16993) to validate a patent to certain lands heretofore issued to the State of Florida to allow said State to claim certain other lands, and for other purposes.

The SPEAKER. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SEARS. Mr. Speaker, I ask unanimous consent to substitute the bill S. 6654.

The SPEAKER. The gentleman from Florida asks unanimous consent to substitute a similar bill, Senate 6654. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That as to all lands on Key Biscayne in townships 54 and 55 south, range 42 east, in the State of Florida, which were embraced in the military and lighthouse reservations established on said Key Biscayne by Executive orders dated August 28, 1847, and February 10, 1897, but now abandoned and relinquished; that certain patent, dated May 4, 1885, and designated as Tampa patent No. 35, be, and the same is hereby, declared valid and effective to vest the title to the said lands in the State of Florida and any such persons as have, since the issuance of said patent, acquired the right, title, and interest of the State of Florida in and to the said lands or any portion thereof.

Sec. 2. That as to all lands embraced in said abandoned reservations, which were properly to be classified as swamp and overflowed lands, in accordance with the terms of the swamp and overflowed land act of 1850, the State of Florida shall now have the right to claim said lands as swamp and overflowed lands and to have the same allowed, set apart, and patented as swamp and overflowed lands to the same extent as if the said lighthouse and military reservations had never existed.

Sec. 3. That the descriptions contained in said patent and in the selection list aforesaid shall be construed as having reference to the plat of lands of Key Biscayne in townships 54 and 55 south, range 42 east, prepared in December, 1870, by J. E. Hilgarde, without regard to the acreage named in said patent or said selection list: *Provided*, That this act shall not be construed as affecting the title to any lands on Key Biscayne embraced within the Mary Anne Davis claim.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SEARS a motion to reconsider the vote whereby the bill was passed was laid on the table.

The House bill H. R. 16993 was laid on the table.

RELIEF OF THE STATE OF KENTUCKY.

The next business on the Calendar for Unanimous Consent was the bill S. 2543, an act for the relief of the State of Kentucky.

The SPEAKER. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the claim of the State of Kentucky for reimbursement for expenses incurred by its governor in aiding the United States to raise the Volunteer Army for the War with Spain, arising under the act of Congress of July 8, 1898, and the acts amendatory thereto, which has heretofore been filed before the Treasury Department and disallowed because such claim had not been "filed and disallowed" before the passage of the amendatory act of April 27, 1904, shall be reopened, examined, and allowed in accordance with the second section of said act of April 27, 1904, and in accordance with the rulings of the accounting officers of the Treasury Department heretofore made in claims of like character of other States, said allowance not to exceed in amount \$1,400.44.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ACTIONS FOR DEATH ON THE HIGH SEAS.

The next business on the Calendar for Unanimous Consent was the bill S. 4288, an act relating to the maintenance of actions for death on the high seas and other navigable waters.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, let the bill be reported.

The Clerk read the bill, as follows:

Be it enacted, etc., That whenever the death of a person shall be caused by wrongful act, neglect, or default occurring on the high seas beyond a marine league from the shore of any State, or on any navigable waters of the Panama Canal Zone, the District of Columbia, or the Territories or dependencies of the United States, the personal representative of the decedent may maintain a suit for damages in the district courts of the United States, in admiralty, for the exclusive benefit of the decedent's wife, husband, parent, child, or dependent relative against the vessel, person, or corporation which would have been liable if death had not ensued.

SEC. 2. That the recovery in such suit shall be a fair and just compensation for the pecuniary loss sustained by the persons for whose benefit the suit is brought, and shall be apportioned among them by the court in proportion to the loss they may severally have suffered by reason of the death of the person by whose representative the suit is brought.

SEC. 3. That such suit shall be begun within two years from the date of such wrongful act, neglect, or default, unless during that period there has not been reasonable opportunity for securing jurisdiction of the vessel, person, or corporation sought to be charged; but after the expiration of such period of two years the right of action hereby given shall not be deemed to have lapsed until 90 days after a reasonable opportunity to secure jurisdiction has offered.

SEC. 4. That if a person die as the result of such wrongful act, neglect, or default, as is mentioned in section 1, during the pendency in a court of admiralty of the United States of a suit to recover damages for personal injuries in respect of such act, neglect, or default, the personal representative of the decedent may be substituted as a party and the suit may proceed as a suit under this act for the recovery of the compensation provided in section 2.

SEC. 5. That, in suits under this act, the fact that the decedent has been guilty of contributory negligence shall not bar recovery, but the court shall take into consideration the degree of negligence attributable to the decedent and reduce the recovery accordingly.

SEC. 6. That the provisions of any State statute giving or regulating rights of action or remedies for death shall not be affected by this act as to causes of action accruing within the territorial limits of any State. Nor shall this act apply to the Great Lakes or to any waters within the territorial limits of any State.

SEC. 7. That this act shall not affect any pending suit, action, or proceeding.

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I wish to make some inquiry about this bill. This is a very important bill. What recovery could absolutely be had by the heirs of any person suffering death on the high seas under section 2 of the bill? The wording here says that the recovery shall be a fair and just compensation. That is very indefinite. The court might consider under that that it would not be fair and just compensation to give damages for mental anguish. Under the Lord Campbell Act, which granted the right of the heirs to recover for death, there was a limitation as to the amount. Most of the States have enacted similar statutes.

Mr. WM. ELZA WILLIAMS. The gentleman's objection is based upon a pecuniary loss. There would be no damages for anguish and suffering in case of death. In case of personal injury that might be said to exist.

Mr. STAFFORD. I suppose this bill arises out of the *Titanic* disaster.

Mr. WM. ELZA WILLIAMS. I suppose that might have had something to do with starting it.

Mr. STAFFORD. Does the gentleman mean that the heirs of those who met death in that catastrophe would have no right to recover except for pecuniary loss?

Mr. WM. ELZA WILLIAMS. Yes; I do not understand that there is any right in case of death by dependent relatives to recover except for pecuniary loss. In the case of personal injury I can understand how the person injured would be entitled to recover for anguish, pain, and suffering, but not for dependent relatives.

Mr. STAFFORD. Take the case of the widow of one who met death in the *Titanic* disaster; what would be her rights under this bill?

Mr. WM. ELZA WILLIAMS. Whatever her pecuniary loss was—the loss of the husband upon whom she was dependent for support.

Mr. STAFFORD. And under the Lord Campbell Act what would her rights be?

Mr. WM. ELZA WILLIAMS. I do not know; I would not undertake to answer the gentleman.

Mr. KEATING. Mr. Speaker, I object.

The SPEAKER. The gentleman from Colorado objects, and the Clerk will report the next bill.

COUNTERFEITING THE SEAL OF EXECUTIVE DEPARTMENTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17190) to prohibit and punish the fraudulent use, application, or counterfeiting of the seal of any executive department or Government commission.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, I do not know whether the gentleman from North Carolina is here or not, but I think these bills should not be acted upon at this time, because in the Senate they have an omnibus bill which I understand includes the next three measures on the calendar. Therefore I object.

The SPEAKER. The gentleman from Massachusetts objects.

INJURY TO VESSELS ENGAGED IN FOREIGN COMMERCE.

The next business on the Private Calendar was the bill (H. R. 17189) to prevent and punish willful injury or attempted injury to, or conspiracy to injure, any vessel engaged in foreign commerce, or the cargo or persons on board thereof, by fire, explosives, or otherwise.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

NATIONAL-DEFENSE SECRETS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11706) to amend an act entitled "An act to prevent the disclosure of national-defense secrets," approved March 3, 1911.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to prevent the disclosure of national defense secrets," approved March 3, 1911, be amended so that the said section will read as follows:

"SEC. 3. That offenses against the provisions of this act committed upon the high seas or elsewhere outside of a judicial district shall be cognizable in the district where the offender is found or into which he is first brought; but offenses hereunder committed within the Philippine Islands shall be cognizable in any court of said islands having original jurisdiction of criminal cases, with the same right of appeal as is given in other criminal cases where imprisonment exceeding one year forms a part of the penalty, and offenses hereunder committed within the Canal Zone shall be cognizable in the district court of said zone; and jurisdiction is hereby conferred upon such courts for such purpose."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

ACTION FOR DEATH ON THE HIGH SEAS.

Mr. MONTAGUE. Mr. Speaker, I understand that the gentleman from Colorado [Mr. KEATING] will withdraw the objection which he made just a moment ago to the consideration of the bill (S. 4288) relating to the maintenance of actions for death on the high seas and other navigable waters, and I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

Mr. WALSH. Mr. Speaker, I object.

UNITED STATES DAUGHTERS OF 1812.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20228) to renew patent No. 25909.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That a certain design patent issued by the United States Patent Office of date of August 11, 1896, being patent No. 25909, is hereby renewed and extended for a period of 14 years from and after the passage of this act, with all the rights and privileges pertaining to the same as of the original patent, being generally known as the badge of the United States Daughters of 1812.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

EXPATRIATION OF CITIZENS AND THEIR PROTECTION ABROAD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20605) to amend an act entitled "An act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907.

The SPEAKER. Is there objection?

Mr. BENNET. Mr. Speaker, I hope the gentleman from Alabama will ask that that bill be passed over without prejudice. I think it requires some further amendment.

Mr. BURNETT. The gentleman has suggested that perhaps there is a defect in the bill and I ask that it be passed over without prejudice.

Mr. MANN. I object. The gentleman can put it upon the Unanimous Consent Calendar again.

Mr. BURNETT. But then would it be reached?

Mr. MANN. I do not know; but it has been reached once, and those who have bills that have not been reached are entitled to preference in being reached.

Mr. BENNET. I object.

The SPEAKER. The gentleman from New York objects.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CAPSTICK, for four days, on account of illness in his family.

To Mr. AUSTIN, for three days, on account of official business.

REPUBLIC COAL CO.

The SPEAKER. The Chair will recognize the gentleman from Montana to move to suspend the rules.

Mr. STEENERSON rose.

The SPEAKER. For what purpose does the gentleman from Minnesota rise?

Mr. STEENERSON. A parliamentary inquiry, Mr. Speaker. Are we not to finish the call of the Unanimous Consent Calendar?

The SPEAKER. The Chair has promised to recognize three gentlemen this afternoon to move to suspend the rules. If there is any time after that, we will go back and finish the Unanimous Consent Calendar.

Mr. STEENERSON. But we have just reached the bill in which I am interested.

The SPEAKER. That is true; but we are always reaching somebody's bill.

Mr. STEENERSON. There are only four or five left on the whole calendar.

The SPEAKER. That is true, and if the Chair was sure that the House would stay here he would go on and finish it.

Mr. MANN. We will reach all of the bills some time before the session is concluded.

Mr. STOUT. Mr. Speaker, I move to suspend the rules and pass Senate joint resolution 50, authorizing the Secretary of the Interior to sell the coal deposits in and under certain public lands to the Republic Coal Co., a corporation, as amended, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, etc., That the Secretary of the Interior be, and he is hereby, authorized and empowered to lease, under such terms and conditions as he may prescribe, to the Republic Coal Co., a corporation organized and existing under and by virtue of the laws of and doing business in the State of Montana, the coal deposits in and under the following described lands, situate in Musselshell County, State of Montana, to wit: The northwest quarter of the northeast quarter; the northwest quarter; and the north half of the southwest quarter, section 6, township 7 north, range 26 east; the south half of the northwest quarter; the southwest quarter; and the west half of the southeast quarter, section 30, township 8 north, range 26 east; and the northeast quarter of the southeast quarter of section 26, township 8 north, range 25 east: Provided, however, That said lease shall be made subject to the legal or equitable rights, inchoate or vested, of any surface or other entryman on any part of said lands, and subject to the laws now in force governing the sales of coal or other minerals where the surface lands and rights are reserved or have been previously disposed of: Provided, however, That the coal taken from said described lands shall be used only for the uses and purposes of the Chicago, Milwaukee & St. Paul Railway Co. and the railway corporations owned and controlled by it, and not for commercial purposes, nor for sale to the public except to such employees of said corporation as may be employed in the actual mining operations conducted on said described lands.

The SPEAKER. Is a second demanded?

Mr. HILLIARD. Mr. Speaker, I demand a second, and, pending that, I should like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HILLIARD. Does it not require unanimous consent to have these amendments inserted?

The SPEAKER. No.

Mr. HILLIARD. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Colorado [Mr. HILLIARD] demands a second.

Mr. STOUT. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

Mr. BENNET. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Montana asks unanimous consent that a second be considered as ordered.

Mr. HILLIARD. Mr. Speaker, I object.

The SPEAKER. The gentleman objects. The gentleman from Montana and the gentleman from Colorado will take their places as tellers. Those in favor of seconding this motion will pass between the tellers and be counted.

The question was taken; and the tellers reported—ayes 79, noes 7.

Mr. HILLIARD. Mr. Speaker, I make the point of order of no quorum present.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. Those in favor of seconding the motion will answer aye, those opposed will answer no.

Mr. MANN. Mr. Speaker, did the Speaker count for a quorum?

The SPEAKER. No; the Chair will count.

Mr. MANN. I think there is a quorum here.

The SPEAKER (after counting). One hundred and thirty-eight gentlemen are present, not a quorum. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 298, nays 31, answered "present" 4, not voting 100, as follows:

YEAS—298.

Abercrombie	Driscoll	Hutchinson	Phelan
Adair	Drukker	Igoe	Powers
Adamson	Dunn	Johnson, S. Dak.	Pratt
Aiken	Dyer	Johnson, Wash.	Rainey
Alexander	Edmonds	Jones	Raker
Allen	Edwards	Kahn	Ramseyer
Aimon	Ellsworth	Kelley	Rauch
Ashbrook	Elston	Kennedy, Iowa	Rayburn
Austin	Evans	Kennedy, R. I.	Ricketts
Ayres	Fairchild	Kettner	Roberts, Nev.
Bailey	Farley	Key, Ohio	Rodenberg
Barnhart	Farr	Kieess, Pa.	Rogers
Black	Ferris	Kinkaid	Rouse
Blackmon	Fess	Kitchin	Rowe
Booher	Fields	Konop	Rowland
Bowers	Fitzgerald	La Follette	Rubey
Britt	Flood	Langley	Rucker, Ga.
Britten	Focht	Lazaro	Russell, Mo.
Browne	Fordney	Lee	Russell, Ohio
Browning	Foss	Lehlbach	Sanford
Brumbaugh	Poster	Lenroot	Saunders
Buchanan, Tex.	Freeman	Lever	Schall
Burke	Fuller	Lieb	Scott, Mich.
Burnett	Gallagher	Linthicum	Sears
Butler	Gallivan	Littlepage	Sherley
Byrnes, S. C.	Gandy	Lloyd	Siegel
Eyrns, Tenn.	Gard	Lobeck	Sinnott
Caldwell	Gardner	Loud	Sisson
Campbell	Garland	McAndrews	Slayden
Candler, Miss.	Garner	McArthur	Slemp
Cannon	Garrett	McClintic	Sloan
Capstick	Glass	McCulloch	Small
Carter, Okla.	Glynn	McDermott	Smith, Mich.
Cary	Good	McFadden	Smith, Minn.
Casey	Goodwin, Ark.	McGillivuddy	Smith, N. Y.
Chandler, N. Y.	Green, Iowa	McKellar	Smith, Tex.
Chilperfield	Greene, Mass.	McKinley	Snyder
Church	Gregg	McLaughlin	Sparkman
Cline	Griest	McLemore	Stafford
Coady	Griffin	Madden	Steagall
Coleman	Guernsey	Magee	Stedman
Collier	Hadley	Mann	Steele, Iowa
Connelly	Hamill	Mapes	Steele, Pa.
Conry	Hamilton, Mich.	Martin	Steenserson
Cooper, W. Va.	Hamlin	Meeker	Stephens, Miss.
Cooper, Wis.	Hardy	Miller, Del.	Stephens, Nebr.
Copley	Harrison, Va.	Miller, Minn.	Stephens, Tex.
Cox	Hastings	Mondell	Sterling
Crago	Haugen	Montague	Stiness
Cramton	Hawley	Moon	Stout
Crisp	Hayden	Moore, Pa.	Sulloway
Cullop	Hayes	Moore, Ind.	Sutherland
Curry	Heaton	Morgan, La.	Sweet
Dallinger	Heflin	Morgan, Okla.	Swift
Danforth	Helgesen	Morrison	Switzer
Darrow	Helm	Moss	Taggart
Davis, Minn.	Helvering	Mudd	Tague
Decker	Henry	Murray	Talbot
Dempsey	Hensley	Neely	Taylor, Ark.
Denison	Hernandez	Nicholls, S. C.	Taylor, Colo.
Dent	Holland	Nichols, Mich.	Temple
Dickinson	Hollingsworth	North	Tilson
Dies	Hood	Oakey	Timberlake
Dillon	Hopwood	Oldfield	Treadway
Dixon	Houston	Oliver	Van Dyke
Doolittle	Howell	Overmyer	Vare
Doremus	Hulbert	Page, N. C.	Venable
Doughton	Hull, Iowa	Parker, N. J.	Vinson
Dowell	Hull, Tenn.	Parker, N. Y.	Walker
	Humphreys, Miss.	Peters	Walsh

Ward	Wheeler	Wilson, La.	Woods, Iowa
Wason	Williams, T. S.	Wingo	Young, N. Dak.
Watkins	Williams, W. E.	Winslow	Young, Tex.
Watson, Va.	Williams, Ohio	Wise	
Webb	Wilson, Fla.	Wood, Ind.	

NAYS—31.

Aswell	Gordon	Keating	Shallenberger
Barkley	Gray, Ind.	Kincheloe	Sherwood
Buchanan, Ill.	Hilliard	King	Summers
Caraway	Howard	Mays	Tavener
Carlin	Huddleston	Park	Thomas
Crosser	Jacoway	Quin	Thompson
Davis, Tex.	James	Randall	Tillman
Eagle	Johnson, Ky.	Relly	

ANSWERED "PRESENT"—4.

Bennet	Borland	Lindbergh	London
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NOT VOTING—100.

Anderson	Emerson	Kreider	Porter
Anthony	Esch	Lafean	Pou
Bacharach	Estopinal	Leshner	Price
Barchfeld	Flynn	Lewis	Ragsdale
Beakes	Frear	Liebel	Reavis
Beales	Gillett	Loft	Riordan
Bell	Godwin, N. C.	Longworth	Roberts, Mass.
Benedict	Gould	McCracken	Rucker, Mo.
Bruckner	Graham	McKenzie	Sabath
Burgess	Gray, Ala.	Maher	Scott, Pa.
Callaway	Gray, N. J.	Matthews	Scully
Cantrill	Greene, Vt.	Miller, Pa.	Sells
Carew	Hamilton, N. Y.	Mooney	Shackleford
Carter, Mass.	Harrison, Miss.	Morin	Shouse
Charles	Hart	Mott	Sims
Clark, Fla.	Haskell	Nelson	Smith, Idaho
Cooper, Ohio	Hicks	Nolan	Snell
Costello	Hill	Norton	Stone
Dale, N. Y.	Hinds	Oglesby	Tinkham
Dale, Vt.	Hughes	Olney	Towner
Davenport	Humphrey, Wash.	O'Shaunessy	Volstead
Dewalt	Husted	Padgett	Watson, Pa.
Dooling	Kearns	Paige, Mass.	Whaley
Dupré	Kelster	Patten	Wilson, Ill.
Eagan	Kent	Platt	Woodyard

So a second was ordered.

The Clerk announced the following pairs:

From February 17 to February 21:

Mr. GODWIN of North Carolina with Mr. TINKHAM.

Until further notice:

Mr. SHACKLEFORD with Mr. HILL.

Mr. BEAKES with Mr. ANDERSON.

Mr. BELL with Mr. ANTHONY.

Mr. BRUCKNER with Mr. BACHARACH.

Mr. BURGESS with Mr. BARCHFELD.

Mr. CALLAWAY with Mr. SMITH of Idaho.

Mr. CANTRILL with Mr. SNELL.

Mr. CAREW with Mr. CARTER of Massachusetts.

Mr. CLARK of Florida with Mr. CHARLES.

Mr. CROSSER with Mr. COOPER of Ohio.

Mr. DALE of New York with Mr. COSTELLO.

Mr. DAVENPORT with Mr. DALE of Vermont.

Mr. DEWALT with Mr. TOWNER.

Mr. DOOLING with Mr. FREAR.

Mr. DUPRÉ with Mr. GILLETT.

Mr. EAGAN with Mr. GOULD.

Mr. ESTOPINAL with Mr. GRAHAM.

Mr. FLYNN with Mr. GRAY of New Jersey.

Mr. GRAY of Alabama with Mr. GREENE of Vermont.

Mr. HARRISON of Mississippi with Mr. HAMILTON of New York.

Mr. HART with Mr. HASKELL.

Mr. HUGHES with Mr. HICKS.

Mr. LESHNER with Mr. WATSON of Pennsylvania.

Mr. LEWIS with Mr. HUMPHREY of Washington.

Mr. LIEBEL with Mr. HUSTED.

Mr. LOFT with Mr. KEARNS.

Mr. MAHER with Mr. REAVIS.

Mr. OGLESBY with Mr. KREIDER.

Mr. OLNEY with Mr. LAFEAN.

Mr. O'SHAUNESSY with Mr. LONGWORTH.

Mr. PADGETT with Mr. WILSON of Illinois.

Mr. PATTEN with Mr. MCKENZIE.

Mr. POU with Mr. ROBERTS of Massachusetts.

Mr. PRICE with Mr. SELLS.

Mr. RAGSDALE with Mr. MOONEY.

Mr. READON with Mr. MORIN.

Mr. RUCKER of Missouri with Mr. MOTT.

Mr. SABATH with Mr. NELSON.

Mr. SCULLY with Mr. NOLAN.

Mr. SHOUSE with Mr. NORTON.

Mr. SIMS with Mr. PAIGE of Massachusetts.

Mr. STONE with Mr. PLATT.

Mr. WHALEY with Mr. WOODYARD.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The gentleman from Montana [Mr. STOUT] is recognized for 20 minutes.

Mr. STOUT. Mr. Speaker, it will not require any very great explanation to fully acquaint Members of the House with the purposes of this resolution. The Chicago, Milwaukee & St. Paul Railway Co. has a line running through Montana. It has to have coal in order to operate its trains. It is reaching that point where it will soon have no coal, and this bill offers them, on the part of the Government, a lease of 640 acres of coal land at a price to be fixed by the Secretary of the Interior.

Mr. HILLIARD. Will the gentleman yield for a moment?

Mr. STOUT. I will.

Mr. HILLIARD. The gentleman has yielded to me for a moment.

Mr. STOUT. Wait a minute. I yielded for a question.

Mr. HILLIARD. You said you yielded.

Mr. STOUT. I yielded for a question.

Mr. HILLIARD. This is all I want to say—

Mr. STOUT. You can have some time in a moment.

Mr. HILLIARD. I will ask the gentleman a question: At the close of this debate, will you join me in asking that there shall be a ye-and-nay vote?

Mr. STOUT. I do not care whether there is a ye-and-nay vote or not. I am not going to join you in asking anything.

Mr. HILLIARD. All right.

Mr. STOUT. This matter has been quite thoroughly discussed. The Secretary of the Interior has given due consideration to it. The Senate considered it fully and exhaustively. The Public Lands Committee of this House gave it their usual careful and painstaking consideration, and reported it out with practical unanimity. So I can see no possible objection to it.

Mr. RAKER. Mr. Speaker, will the gentleman yield for a question?

Mr. STOUT. Yes.

Mr. RAKER. The original resolution provided for 14,500 acres?

Mr. STOUT. No; 1,440 acres.

Mr. RAKER. The resolution now before the House as amended includes 640 acres?

Mr. STOUT. Yes.

Mr. RAKER. And instead of a sale of the land, the resolution now provides for a lease, at a price to be fixed by the Secretary of the Interior under that lease?

Mr. STOUT. Exactly; yes. As the resolution originally came before this body it provided for 1,440 acres.

Mr. SCOTT of Michigan. Mr. Speaker, will the gentleman yield?

Mr. STOUT. Yes.

Mr. SCOTT of Michigan. I would like to ask the gentleman if there is any limitation on the lease that is to be granted by the Secretary of the Interior? Can he grant a lease for 50 years, or 1 year, or 10 years?

Mr. STOUT. He can grant any sort of lease that he desires. This coal is lying there undeveloped. With 1,300 miles of railroad to be supplied, you can imagine how long a 5-foot vein, even of good coal, would last on 640 acres of land. The committee amended this bill in some particulars, providing for a lease instead of a sale of the land to the railroad company, and there was read into the joint resolution to-day a further amendment, which reduces the acreage, as has been suggested by the gentleman from California [Mr. RAKER], from 1,440 acres to 640 acres. That was done so as to obviate any possible objection. At the present time four individuals under the present coal laws can go out there—even if this bill should not pass or before it should be passed—at this moment and file upon those 640 acres of coal land and pay the Government's price and become the owners of it in that manner. It has been lying there all these years. It has been lying there beside the railroad tracks for eight years, and despite that fact it has not been considered of sufficient value by any private citizens from there or elsewhere to warrant them in filing upon it; and that comes from this fact: This land is undoubtedly of great value to the Chicago, Milwaukee & St. Paul Railroad Co. It is of no value to anyone else, for the reason that it is coal of a comparatively low grade. I burn it in my own furnace, and I know what it is. It is fit only for steaming purposes. For a private individual to attempt to go in there and develop that field it would, according to the figures of competent engineers, cost \$300,000. But the railroad company has dug out a section right up to this location. It has put from \$600,000 to \$800,000 worth of machinery into its shafts and tunnels, and it is all ready to proceed. All it needs to do is to go and dig out the coal.

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman yield?

Mr. STOUT. Yes.

Mr. SMITH of Michigan. Has the gentleman any information as to the price to be paid by the railroads under this lease?

Mr. STOUT. That is in the hands of the Secretary of the Interior.

Mr. SMITH of Michigan. And does the Secretary of the Interior fix the price that the employees of the company shall pay for the coal?

Mr. STOUT. That may be incorporated in the lease, but there is nothing on that in this resolution. The railroad company is not permitted to sell this coal to anybody except its own employees. It will not enter into competition at all. It is taking this coal solely and wholly for steaming purposes.

As I pointed out here on a previous occasion, the other railroad companies had opportunities to acquire coal lands, and they got all they could; but when this particular company went through the West the coal lands were all gone, or such restrictions had been placed around the coal that they could not get it.

I think the enactment of this joint resolution will serve a distinct public purpose. I may say that we have been undergoing a coal famine out there recently. My people have been suffering severely, and by permitting the railroad to open up this little tract it will permit the other independent mines to supply the public trade.

Mr. Speaker, I reserve the balance of my time. [Applause.]

The SPEAKER. The gentleman from Montana reserves the rest of his time. The gentleman from Colorado [Mr. HILLIARD] is recognized for 20 minutes.

Mr. HILLIARD. Mr. Speaker, I yield 10 minutes to the gentleman from Utah [Mr. MAYS].

The SPEAKER. The gentleman from Utah is recognized for 10 minutes.

Mr. MAYS. Mr. Speaker, the gentleman from Montana [Mr. STOUT] stated that this joint resolution had received very deliberate consideration in the Committee on the Public Lands and had been passed practically by a unanimous vote. The facts are that this bill was considered in the Committee on the Public Lands for about 30 minutes, and a subcommittee was appointed, consisting of the gentleman from Montana [Mr. STOUT], the gentleman from California [Mr. RAKER], and myself, to further consider the merits of the proposition.

We went into this matter at some length, and when it came to the question of reporting upon this bill two of the subcommittee were opposed to it, and one, the gentleman from Montana [Mr. STOUT], favored it. I think perhaps it is wise that we should give a few of the reasons why we were opposed to it. The gentleman quoted the Secretary of the Interior as being in favor of this bill. The Secretary of the Interior made a report on this bill, and in view of the fact that we were just passing through the House a general law providing that a railroad company might for its own uses lease 2,560 acres of land, he favored a leasing proposition on this bill, but not a selling proposition. The Senate, however, passed this bill to sell 2,000 acres of land to the Milwaukee Railroad Co., the Republic Coal Co. being a subsidiary of the Milwaukee Railroad—to sell it outright—giving them exclusive control, of course, over that land.

We oppose this bill because there is no precedent for it in all the history of legislation. When the subcommittee were considering it I addressed a letter to the Secretary of the Interior, trying to find some reason why he favored it, and I asked him to report to us, as a subcommittee, the reason why he favored it. I asked him to give the formalities necessary for anybody to secure coal lands under the laws of the United States. I asked him if in all the laws there was any precedent for such legislation. I asked him if it was not a special privilege conferred upon a railroad corporation. I asked him how much land a citizen could acquire under the law. I asked him how much land an association of citizens could acquire and under what circumstances. He replied to these questions, first, that a citizen could acquire 160 acres of coal land by making required application and payment and by exhausting his right to acquire; that an association of citizens could acquire 320 acres of coal land, provided each member of the association was qualified to make entry upon coal lands; that an association of citizens, provided they had already expended the sum of \$5,000 upon a coal mine, could acquire not to exceed 640 acres of coal lands. He said there had been no precedent for this legislation in all the history of legislation, but he thought in view of the fact that the Congress had just passed a leasing bill providing that 2,560 acres might be acquired under a lease this legislation might be justified.

The Milwaukee Railroad Co. is owned by the Standard Oil Co. It comes in here pretending that it is facing a great emergency; that it has no coal with which to run its railroad. The Milwaukee Railroad Co. has just as much coal as anybody else in the market, and if anybody who has no coal should come in here and ask for a coal mine, you would not be prepared to grant such a special privilege. We have sugar factories in the West that are out of coal. We have cement factories out there that are out of coal. We have whole communities out of coal. They are not now coming here and asking that you pass a special bill granting special legislation to them that will grant to them the right of having a coal mine. You will recall that a few weeks ago several municipalities came in here asking that a small tract of coal land be granted them at the market price. Grand Junction, Colo., suffering as it was by the monopoly that these same railroad companies have exercised for 20 years out there by virtue of the fact that they own the coal of that country, came in here asking that that municipality be granted the right to purchase a small subdivision of coal land to furnish coal to the people of that municipality, that they might be relieved of this monopoly. That was objected to by gentlemen on the other side. The town of Kaycee, Wyo., asked for 40 acres—

Mr. LENROOT. In any of those cases did it provide that they should pay for the land?

Mr. MAYS. That they should pay the market price for the coal.

Mr. LENROOT. I think the gentleman is mistaken.

Mr. MAYS. No.

Mr. LENROOT. I think it was a pure donation in each case.

Mr. MAYS. The gentleman from Wisconsin can ask the gentleman from Wyoming [Mr. MONDELL] about that. The gentleman from Wyoming asked that the little town of Kaycee, Wyo., be granted the right to purchase 40 acres of coal at the market price, in order that the people of that town might have a coal mine for the relief of that municipality. We have had some experience in the West on account of these coal railroad companies owning coal lands there. I have no confidence in the amendment which the gentleman proposes to offer. I know when that bill goes back to the Senate—I feel sure the amendment will be stricken out. I have all assurances of that, and that a pure and simple sale will be carried through by this bill when it goes back to the Senate. I could get no assurance from the conferees of the Public Lands Committee that they would hold tenaciously to this leasing proposition that only 640 acres would be granted instead of 2,000, as the bill first provided. This bill has been before this House since the first session of the Sixty-third Congress. It never has had a favorable consideration. They have had a persistent lobby. The president of the company has been here lobbying with Congressmen. The attorneys of the railroad company have camped on their trail and urged that the bill be passed, and I do not believe that we have had before us in the history of my little time in Congress such a dangerous proposition as is this, because of the fact that it establishes a precedent. We have in our State one railroad company that has owned and controlled 95 per cent of the coal business of that State, and if we should pass such legislation as this I know that that railroad company would be here asking that coal lands adjoining be granted to them by special legislation. Why should a railroad company be granted a right that an association of citizens can not obtain? If you want to form yourselves into a coal company, into an association of citizens, under what circumstances would you get coal land? Not by special legislation but by the general laws, as the Secretary of the Interior has set out in his instructions to us. I am satisfied that the Secretary of the Interior would never approve of this bill providing for the sale of the land as it will undoubtedly come back to us from conference. I believe that we ought to defeat this legislation. The railroad companies will be in here urging similar legislation if we pass this bill. In the history of the Congress, the Secretary of the Interior says, no such bill was ever passed. Why should you pass it now? I reserve the balance of my time.

Mr. HILLIARD. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. BENNET].

Mr. BENNET. Mr. Speaker, my reasons for not being for this bill are almost diametrically opposite to those of the gentleman who last spoke. I can not claim an extensive knowledge of legislation, but, so far as my research goes, this is the first time that the Congress of the United States has attempted to take away from a man who either bought or paid for a thing or a man who got it under law the right to dispose of it as such property is usually disposed of. It seems to me that this is an extremely bad precedent and along the same lines as some heretofore

passed by this Congress of attempting to limit the rights of a man to do what he pleases with the property that he has. If the railroad company is entitled to lease or buy coal land, it ought to have the right to dispose of the product. We introduced a new element into legislation. Listen to this, if this is the language that is now in the bill:

Provided, however, That the coal taken from said described lands shall be used only for the uses and purposes of the Chicago, Milwaukee & St. Paul Railway Co. and the railway corporations owned and controlled by it, and not for commercial purposes, nor for sale to the public except to such employees of said corporation as may be employed in the actual mining operations conducted on said described lands.

Mr. MONDELL. Has the gentleman from New York forgotten that that was the intelligent action that the House took in connection with the general leasing law—the same sort of provision?

Mr. BENNET. The gentleman from New York has neither forgotten nor remembered it. He did not know it.

Mr. STAFFORD. Has the gentleman knowledge that it is in harmony with the commodity clause in the interstate-commerce act?

Mr. BENNET. I stated that this Congress had passed some bad legislation, and I thought this was in line with it. As a result of that sort of legislation, they are to-day taking the steamboats from the Great Lakes in the gentleman's territory.

Mr. STAFFORD. That is not ascribable to the commodity clause of the interstate-commerce act.

Mr. BENNET. During all this Congress I have been protesting against bills that interfered with the rights of people in attempting to demonstrate that there is at least one Jeffersonian Democrat left in the House of Representatives, and I am he. [Laughter.]

Mr. MANN. Not for long.

Mr. BENNET. Only until the 4th of March, as the gentleman from Illinois suggests.

Mr. CALDWELL. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. CALDWELL. Does the gentleman think that a railroad would have authority under its charter to mine coal for general sale to the public?

Mr. BENNET. I do not know what the charter of the railroad is, but I do know that the precedent is a bad one—that we shall by statute provide that a man who buys something can not exercise the ordinary right that the other citizens of the United States have in relation to property of the same kind.

Mr. CALDWELL. The gentleman does not catch my point. If we authorize the making of a law that would permit the lease, then the lease would fail because the railroad would have no authority to enter into that kind of lease.

Mr. BENNET. I do not know about that.

Mr. STOUT. Mr. Speaker, I yield four minutes to the gentleman from Wisconsin, Mr. LENROOT.

Mr. LENROOT. Mr. Speaker, I am in favor of this bill, and I believe it fully safeguards the public interests in every way. It is exactly in line with the general leasing bill that has been passed by this House. In that bill an individual was permitted to lease 2,560 acres. A railroad was permitted to make a lease, providing the coal was used solely for the purpose of the railroad, and an additional lease was authorized by that bill for every 200 miles of road.

Mr. MAYS. Mr. Speaker, will the gentleman yield?

Mr. LENROOT. I yield to the gentleman.

Mr. MAYS. I want to ask if that bill became a law?

Mr. LENROOT. No; but the House has expressed itself to the fullest extent it was able to do so.

Mr. MAYS. That was a general law, if the gentleman remembers?

Mr. LENROOT. The gentleman has referred to some municipal bills. He has referred to the Grand Junction bill and to the Kaycee bill, which was objected to to-day, and has sought to have the House believe—and I do not question the gentleman's good faith—that we were discriminating in favor of a railroad company. I want to say to the gentleman that in the case of the Grand Junction bill the price provided was the minimum price of \$1.25 an acre, and did not provide for an appraised price at all, and the gentleman from Colorado will correct me if I am wrong. In the case of the Kaycee bill, I hold it in my hand, and it provides that in the case of lease there should be no royalty or charge whatever. So far as discrimination is concerned, the discrimination has not been in favor of the railroad company, but has been in favor of the municipality, as it ought to be. With reference to this matter the railroad is limited in the use of this coal to its own purposes. My friend from New York [Mr. BENNET] objects to that. I wonder if my friend from New York thinks that a railroad has a right to engage in any kind of private business?

Mr. BENNET. Does the gentleman ask me a question?

Mr. LENROOT. Yes.

Mr. BENNET. If it is authorized by its charter. If we grant it rights, it ought to be permitted to exercise those rights.

Mr. LENROOT. I will say in reply to the gentleman, that if any railroad corporation engaged in interstate commerce has the right to engage in every kind of private business, it is the duty of the Congress of the United States to prevent it so far as it is possible, and it is entirely in harmony with good public policy to limit the use of this railroad company to this coal for its own uses and its own purposes.

Mr. SHALLENBERGER. Mr. Speaker, will the gentleman yield?

Mr. LENROOT. The situation is that the Northern Pacific and the Great Northern Railroads are competitors of this Milwaukee road, a transcontinental line. The Northern Pacific has thousands of acres of coal lands which it secured by land grant. The Great Northern Railroad has a large quantity of coal. This road that had no land granted whatever simply seeks to get the right to either purchase or lease 640 acres of coal land at the highest price, asking no favors from this Government and pay to the Government what it is worth, in order that it may get coal to run its own engines.

The SPEAKER. Does the gentleman yield to the gentleman from Nebraska?

Mr. LENROOT. Yes.

Mr. SHALLENBERGER. Mr. Speaker, the bill provides, as I read it, that it shall be leased to the Republic Coal Co. and not to the railroad company.

Mr. LENROOT. That is correct. The Republic Coal Co. is a subsidiary company of the Chicago, Milwaukee & St. Paul Railroad, and all of the stock of the coal company is held by the Milwaukee road as it appeared before our committee.

Mr. SHALLENBERGER. The gentleman is aware that that is the way all railroad companies handle coal which they sell to other people.

Mr. LENROOT. Oh, the gentleman will notice that there is a prohibition in this bill against the coal company using it for any other purpose than to supply the railroad company.

Mr. SHALLENBERGER. The bill provides that the coal shall be sold to no other company than the railroad company?

Mr. LENROOT. Yes.

Mr. SHALLENBERGER. And without that prohibition in the bill the subsidiary company could sell to others.

Mr. LENROOT. The proviso absolutely prevents it. The provision is that the coal shall be used only for the uses and purposes of the Milwaukee road.

The SPEAKER. The time of the gentleman has expired.

Mr. STOUT. Mr. Speaker, I yield three minutes to the gentleman from Oklahoma [Mr. FERRIS].

Mr. FERRIS. Mr. Speaker, this bill in a word authorizes the Republic Coal Co. to lease 640 acres of land to mine coal upon that land for their own use and no other. It provides that they must pay what the Government says it is worth. Third, under existing law any citizen or individual can buy coal and pay for it according to the price fixed by the same department that will fix this price. The whole objection to this bill results from the fact the name of a railroad is in it. The Government of the United States, as well as anybody else, ought to use a little sense about legislating, and it is not proper, because there is a provision in here that a railroad is to buy or lease some of this coal for its own use to burn in its own engines, not to enter into commerce in any way, to be scared to death and vote against it. The bill ought to have passed by unanimous consent and ought to have passed long ago by unanimous consent, but the gentleman from Utah [Mr. MAYS] has objected to it, which of course was within his right, and he opposes it now, which is within his right, and also the gentleman from Colorado [Mr. HILLIARD], but I insist anyone who sits down and reads this bill and the report will conclude there is no valid objection to it. The railroads herein can not enter into commerce or competition under this bill. They merely desire to buy for their own use. They agree to pay all for it that the Interior Department says it is worth.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. FERRIS. I can not; I have only three minutes. The Interior Department reports it favorably. The Geological Survey reports it favorably. Anyone who will go into it carefully will approve it. It is simply the word railroad that gives some people hysteria. This railway is nothing to me one way or the other, but the passage of this bill is but common justice. They ask no favors. They propose to pay full value for all they get. We passed a bill through this House, H. R. 406, the so-called conservation bill, authorizing mining companies and individuals to lease 2,560 acres of coal land where this only provides for the leasing of 640 acres of land. That bill passed by this House twice

by unanimous consent after careful consideration. What earthly objection can there be to allowing a railroad company to buy or lease coal for their own use, paying full value therefor? The Government has 53,000,000 acres of coal. The railroad has not a coal mine in 1,500 miles of this place. The next coal land suitable for a supply is found way down in Iowa. They need the coal, and they are willing to pay what the Government says it is worth. The opposition to this bill is simply a tempest in a teapot. There really is no foundation for the opposition. They only ask to take 640 acres, and I would like to know what valid objection there can be to this bill? The railway asks no quarter. They merely ask to do a necessary thing and agree to pay full value for it. What more could they do? What more does any thoughtful person want them to do? I yield back my time if I have any. [Applause.]

The SPEAKER. The gentleman yields back one minute.

Mr. STOUT. Mr. Speaker, I will ask the gentleman to use the remainder of his time.

Mr. HILLIARD. I yield to the gentleman from Utah [Mr. MAYS]; how much time does he wish?

Mr. MAYS. Mr. Speaker, I only want half a minute to say the gentleman from Wisconsin tried to make the impression here that I had misconstrued the provisions of a certain measure. I have just talked with the father of the bill providing that we grant land to Grand Junction, Colo., and he told me my recollection was right; that they offered to pay the minimum price fixed by the Secretary of the Interior for the coal lands sought to be purchased by the town of Grand Junction.

Mr. LENROOT. Did not the gentleman state to the House the appraised price in his original statement?

Mr. MAYS. I may have said appraised price, but there is sometimes a minimum appraised price and a maximum—

Mr. LENROOT. I read from the other bill where there was no royalty whatever.

Mr. MAYS. That is a very small difference.

Mr. HILLIARD. Mr. Speaker, I do not desire to detain the House long. I want to confess now it was I who called you here. I wanted you to hear the discussion of this bill. If you want to give the railroad company this special privilege, I shall not complain if you do it; but I want you to know what the bill is and do it with full knowledge, and if at the end of the debate you shall conclude that you want to do this I am going to ask that there be a yea-and-nay vote, and I sincerely hope that you will help me to get that.

Now, Mr. Speaker, the gentleman from Oklahoma [Mr. FERRIS] seems to think that he possesses the last word of wisdom about this bill. He says it ought never to have been objected to; that it ought not now to be objected to. Well, why not? If I had introduced a bill when I came here to give the gentleman from Oklahoma a chance to lease land on terms that you gentlemen could not lease it under the general law, the committee would have laughed at me and you would have laughed at me, and I would have been placed in the newspapers, if I had been a man of any consequence, as a joke. Yet the gentleman from Oklahoma, with all his powers as a great leader of this House, feigns surprise that there is any opposition to the measure and would frown it down.

The distinguished gentleman from Wisconsin [Mr. LENROOT], who recently has become a great militarist [laughter], labors under the impression that this coal company, because it may not sell to other people, is going to render a great service. Why, the gentleman from Oklahoma and several of these other gentlemen on the Public Lands Committee put in their entire time through all the hot summer last year in trying to develop the West, to the end that the people out there might have a chance; and yet they come in here now and advocate that this coal company shall not be permitted to sell coal to the people out there, although they may be freezing, as the distinguished gentleman from Montana tells us here in this presence. Why should they not sell coal? Why should they not be required to do it? Some gentleman says there is no limit to it. It may be 50 years. For purposes of the railroad that is a sale and nothing else.

Mr. Speaker, it may be fine to be generous with public property, as gentlemen seem to believe, but I venture the word of warning that a different rule obtains in this country now. It is no longer the practice to yield valuable properties to railroad companies under special acts. Uncle Sam is more careful with his heritage. He wants to preserve it. He wants the people to have a chance. It is safe as well as just to take the people's side. They can not have a lobby, as do the great interests, and that is the more reason that their cause should be championed by somebody on this floor.

Mr. SWITZER. Does the gentleman believe that the railroad company really needs this coal to operate its line out there?

Mr. HILLIARD. I think the railroad needs this coal just as John D. Rockefeller needs everything in the world he does not now have, and for no better reason. [Applause.] That railroad company, if it has not coal, can buy it from the coal companies out there like other people buy it, and give those other coal companies a chance to make a little money. Of course, Mr. Speaker, they would like to get the coal cheaper than you and I could buy it, but they ought to go into the market and patronize some other coal companies and give some other soulless corporation a chance to make a dollar.

Mr. SWITZER. Does not the gentleman believe that the cheaper the railroad company can get the coal the cheaper the Interstate Commerce Commission will make the rates? [Laughter.]

Mr. HILLIARD. The laughter that goes over the Chamber answers the gentleman. [Applause.]

The SPEAKER. The time of the gentleman from Colorado has expired.

The gentleman from Illinois [Mr. MANN] is recognized for four minutes.

Mr. MANN. Mr. Speaker, I have no interest in the Chicago, Milwaukee & St. Paul Railroad, which does not run through my district, but I have some admiration for the road, because it has been built in competition with the Great Northern and Northern Pacific, out to the Pacific coast, and is the only railroad in the country, so far as I know, which is attempting to conserve the natural resources by running trains over the mountains by electric power. [Applause.]

Now, what does it ask? It asks that the Republic Coal Co., which it owns, shall have the right to continue to mine coal. The Republic Coal Co. has a plant now costing \$1,000,000. Coal which they owned is exhausted. All the other coal there is owned either by the Government or the Northern Pacific Railroad.

The Government owns the even-numbered sections and the Northern Pacific owns the odd-numbered sections. The Northern Pacific and the Milwaukee are in competition with each other. The Milwaukee road ought not to be compelled to buy its coal from the Northern Pacific Railroad, and the only other place that it can buy its coal from is from the Government of the United States. It is willing to pay a fair price for it. It is to the interest of the country that the railroads have coal with which to operate their trains. This company can not carry on its business without coal. When it pays the full price to the Government, why should not we give it the right to burn the coal in its locomotives? What objection is there to it? No objection has been offered. They can not run without the coal. They have got to buy it from the Government or else they have got to buy it from the Northern Pacific Railroad, or they have got to go a long distance away and buy coal and carry it to this section of the road, greatly interfering with transportation and greatly increasing the cost. And the cost eventually is paid by the public. We ought to give them the right to mine this coal, paying for it what it is worth.

The objection of the gentleman from New York [Mr. BENNET] is not valid. The grant runs to the Republic Coal Co. While it is a subsidiary of the Milwaukee road, we do not want to give to the Republic Coal Co. the right to mine coal to sell to anybody else. If the grant ran directly to the railroad company the present law would cover it, but it runs indirectly to the railroad company, and hence the amendment providing that they can not sell the coal in the market. We do not propose to give the railroad company the right to mine coal, transport it, and sell it in competition with people who have to pay for the transportation of coal. [Applause.] Cries of "Vote!" "Vote!"

The SPEAKER. The question is, Shall the rules be suspended and this paper that has been read at the Clerk's desk, including the amendments, be agreed to?

The question was taken.

The SPEAKER. In the judgment of the Chair, two-thirds having voted in the affirmative—

Mr. HILLIARD. Mr. Speaker, I demand a division.

The SPEAKER. The gentleman from Colorado demands a division. Those in favor of suspending the rules and passing the Senate joint resolution with the amendments read in will rise and stand until they are counted. [After counting.] One hundred and fifty-two gentlemen have risen in the affirmative. Those opposed will rise and stand until they are counted. [After counting.] Thirty-nine gentlemen have risen in the negative. On this vote the yeas are 152 and the noes are 39.

Mr. HILLIARD. Mr. Speaker, I demand the yeas and nays. I make the point of no quorum.

The SPEAKER. The gentleman from Colorado makes the point of no quorum. The Chair will count.

Mr. HILLIARD. I submit that the Speaker has just counted.

The SPEAKER. The Chair knows, but the Chair will have to count over again. A whole lot of people do not get up on either side. [After counting.] Two hundred and sixteen gentlemen are present—not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of suspending the rules and passing the Senate joint resolution with amendments read in will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 234, nays 52, answered "present" 3, not voting 144, as follows:

YEAS—234.

Abercrombie	Evans	Langley	Rouse
Adair	Farr	Lee	Rowe
Adamson	Ferris	Lehlbach	Rowland
Aiken	Fess	Lenroot	Rubey
Alexander	Fields	Lieb	Russell, Mo.
Allen	Flood	Lindbergh	Russell, Ohio
Almon	Focht	Linthicum	Sanford
Ashbrook	Fordney	Littlepage	Saunders
Aswell	Foss	Lloyd	Schall
Black	Foster	Lobeck	Sherley
Blackmon	Freeman	Longworth	Siegel
Borland	Fuller	McAndrews	Sisson
Bowers	Gallivan	McArthur	Sloan
Britt	Gandy	McClintic	Smith, Minn.
Britten	Gard	McCulloch	Smith, N. Y.
Browning	Garland	McDermott	Smith, Tex.
Brumbaugh	Garner	McFadden	Stafford
Buchanan, Tex.	Garrett	McGillicuddy	Stegall
Burke	Glass	McLaughlin	Stedman
Burnett	Glynn	McLemore	Steele, Iowa
Butler	Good	Madden	Steele, Pa.
Byrnes, S. C.	Gray, Ala.	Magee	Steenerson
Byrns, Tenn.	Green, Iowa	Mann	Stephens, Miss.
Candler, Miss.	Gregg	Mapes	Stephens, Nebr.
Cannon	Griest	Martin	Stephens, Tex.
Capstick	Griffin	Meeker	Sterling
Cary	Guernsey	Miller, Del.	Stiness
Casey	Hadley	Miller, Minn.	Stout
Coady	Hamilton, Mich.	Miller, Pa.	Sulloway
Coleman	Hamlin	Mondell	Sweet
Collier	Hastings	Moon	Swift
Cooper, W. Va.	Haugen	Moore, Pa.	Switzer
Cooper, Wis.	Hawley	Moore, Ind.	Taylor, Colo.
Cox	Hayden	Morgan, Okla.	Temple
Cramton	Hayes	Morrison	Thomas
Crisp	Heaton	Moss	Tilson
Curry	Heflin	Mudd	Timberlake
Dallinger	Helgesen	Murray	Van Dyke
Danforth	Helm	Neely	Vare
Darrow	Henry	Neison	Vinson
Davis, Minn.	Hensley	Nicholls, S. C.	Volstead
Decker	Holland	Nichols, Mich.	Walker
Dempsey	Hollingsworth	North	Walsh
Denison	Hood	Norton	Wason
Dent	Houston	Oakey	Watkins
Dies	Howard	Oldfield	Watson, Va.
Dill	Humphreys, Miss.	Oliver	Wheeler
Dillon	Hutchinson	Parker, N. J.	Williams, T. S.
Dixon	Igoe	Parker, N. Y.	Williams, W. E.
Doughton	Johnson, S. Dak.	Phelan	Williams, Ohio
Driscoll	Johnson, Wash.	Platt	Wilson, La.
Dunn	Kennedy, Iowa	Pratt	Wingo
Dupré	Kennedy, R. I.	Rainey	Winslow
Dyer	Kettner	Rauch	Wood, Ind.
Eagle	Kiess, Pa.	Rayburn	Woods, Iowa
Edmonds	Kinkaid	Ricketts	Young, N. Dak.
Edwards	Kitchin	Roberts, Nev.	Young, Tex.
Elston	Konop	Rodenberg	
Esch	La Follette	Rogers	

NAYS—52.

Ayres	Farley	Johnson, Ky.	Randall
Bailey	Gallagher	Keating	Reilly
Barkley	Goodwin, Ark.	Kincheloe	Scott, Mich.
Buchanan, Ill.	Gordon	King	Shallenberger
Caldwell	Gray, Ind.	London	Sherwood
Caraway	Hardy	McCracken	Smith, Mich.
Carlin	Harrison, Va.	Mays	Summers
Church	Helvering	Montague	Tague
Connelly	Hilliard	Park	Taveaner
Conry	Hopwood	Powers	Taylor, Ark.
Crosser	Huddleston	Quin	Thompson
Dowell	Jacoway	Raker	Tillman
Ellsworth	James	Ramseyer	Wise

ANSWERED "PRESENT"—3.

Bennet	Hulbert	Venable
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NOT VOTING—144.

Anderson	Carter, Okla.	Doremus	Harrison, Miss.
Anthony	Chandler, N. Y.	Drukker	Hart
Austin	Charles	Eagan	Haskell
Bacharach	Chipperfield	Emerson	Hernandez
Barchfield	Clark, Fla.	Estopinal	Hicks
Barnhart	Cline	Fairchild	Hill
Beakes	Cooper, Ohio	Fitzgerald	Hinds
Beales	Copley	Flynn	Howell
Bell	Costello	Frear	Hughes
Benedict	Crago	Gardner	Hull, Iowa
Booher	Cullop	Gillett	Hull, Tenn.
Browne	Dale, N. Y.	Godwin, N. C.	Humphrey, Wash.
Bruckner	Dale, Vt.	Gould	Husted
Burgess	Davenport	Graham	Jones
Callaway	Davis, Tex.	Gray, N. J.	Kahn
Campbell	Dewalt	Greene, Mass.	Kearns
Cantrill	Dickinson	Greene, Vt.	Kelster
Carew	Doelling	Hamill	Kelley
Carter, Mass.	Doolittle	Hamilton, N. Y.	Kent

Key, Ohio
Kreider
Lafear
Lazaro
Leshler
Lever
Lewis
Liebel
Loft
Loud
McKellar
McKenzie
McKinley
Maher
Matthews
Mooney
Morgan, La.

Morin
Mott
Nolan
Oglesby
Olney
O'Shaunessy
Overmyer
Padgett
Page, N. C.
Paige, Mass.
Patten
Peters
Porter
Pou
Price
Ragsdale
Reavis

Riordan
Roberts, Mass.
Rucker, Ga.
Rucker, Mo.
Sabath
Scott, Pa.
Scully
Sears
Sells
Shackleford
Shouse
Sims
Sinnott
Slayden
Slomp
Small
Smith, Idaho

Snell
Snyder
Sparkman
Stone
Sutherland
Taggart
Talbot
Tinkham
Towner
Treadway
Ward
Watson, Pa.
Webb
Whaley
Wilson, Fla.
Wilson, Ill.
Woodyard

So (two-thirds voting in the affirmative) the rules were suspended and the joint resolution was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. BELL with Mr. COOPER of Ohio.
Mr. CLARK of Florida with Mr. GILLET.
Mr. O'SHAUNESSY with Mr. GREENE of Vermont.
Mr. STONE with Mr. AUSTIN.
Mr. SABATH with Mr. ANTHONY.
Mr. ASWELL with Mr. WARD.
Mr. SHOUSE with Mr. CHARLES.
Mr. BARNHART with Mr. BEALES.
Mr. BOOHER with Mr. BROWNE.
Mr. CULLOP with Mr. CAMPBELL.
Mr. DAVIS of Texas with Mr. CHANDLER of New York.
Mr. DICKINSON with Mr. CHIPPERFIELD.
Mr. DOOLITTLE with Mr. COPLEY.
Mr. DOREMUS with Mr. CRAGO.
Mr. FITZGERALD with Mr. DRUKKER.
Mr. HAMILL with Mr. EMERSON.
Mr. HULL of Tennessee with Mr. FAIRCHILD.
Mr. JONES with Mr. GREENE of Massachusetts.
Mr. KEY of Ohio with Mr. HERNANDEZ.
Mr. LAZARO with Mr. HINDS.
Mr. LEVER with Mr. HOWELL.
Mr. McKELLAR with Mr. HULL of Iowa.
Mr. MORGAN of Louisiana with Mr. KAHN.
Mr. OVERMYER with Mr. KEISTER.
Mr. PAGE of North Carolina with Mr. KELLEY.
Mr. RUCKER of Georgia with Mr. TREADWAY.
Mr. WILSON of Florida with Mr. SUTHERLAND.
Mr. SEARS with Mr. McKINLEY.
Mr. SLAYDEN with Mr. MATHEWS.
Mr. SMALL with Mr. PETERS.
Mr. SPARKMAN with Mr. PORTER.
Mr. TAGGART with Mr. SINNOTT.
Mr. TALBOTT with Mr. BENNET.
Mr. WEBB with Mr. SNYDER.

Mr. BENNET. Mr. Speaker, I find I am paired with the gentleman from Maryland, Mr. TALBOTT. Therefore I withdraw my vote, and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. Two-thirds having voted in the affirmative, the rules are suspended and the bill, with the amendments read into it, is passed.

LEAVE TO EXTEND REMARKS.

Mr. TILSON. I ask unanimous consent to extend my remarks by printing in the RECORD an address delivered by the gentleman from New York [Mr. BENNET] on Lincoln's birthday before the Young Men's Republican Club of New Haven, Conn.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MURRAY. I ask unanimous consent to extend my remarks in the RECORD on the subject of the farm-land registration system.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SCHALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on vocational training.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks on vocational education.

Is there objection?

There was no objection.

DANISH WEST INDIES.

Mr. FLOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 20755) to carry out the provisions of the

treaty of August 4, 1916, for the purchase of the Danish West Indian Islands, and for other purposes, with the amendments recommended by the Committee on Foreign Affairs read into the bill.

The SPEAKER. The gentleman from Virginia moves to suspend the rules and pass the bill (H. R. 20755) and the committee amendments read into it. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc. That all military, civil, and judicial powers necessary to govern the West Indian Islands acquired from Denmark shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct until Congress shall provide for the government of said islands.

SEC. 2. That on and after the passage of this act there shall be levied, collected, and paid upon all articles coming into the United States or its possessions, from the West Indian Islands ceded to the United States by Denmark, the rates of duty and internal-revenue taxes which are required to be levied, collected, and paid upon like articles imported from foreign countries: *Provided*, That all articles, the growth or product of, or manufactured in such islands from materials the growth or product of such islands or of the United States, or of both, or which do not contain foreign materials to the value of more than 20 per cent of their total value, upon which no drawback of customs duties has been allowed therein, coming into the United States from such islands shall hereafter be admitted free of duty.

SEC. 3. That until Congress shall otherwise provide, all laws now imposing taxes in the West Indian Islands acquired from Denmark, including the customs laws and regulations, shall, in so far as compatible with the changed sovereignty, continue in effect, except that articles the growth, product, or manufacture of the United States shall be admitted therein free of duty: *Provided further*, That upon exportation of sugar to foreign countries or the shipment thereof to the United States or any of its possessions there shall be levied, collected, and paid thereon an export duty of \$8 per ton of 2,000 pounds in lieu of any export tax now required by law.

SEC. 4. That the duties and taxes collected in pursuance of this act shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of the said islands, to be used and expended for the government and benefit of said islands.

SEC. 5. That the sum of \$25,000,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be paid in the city of Washington to the diplomatic representative or other agent of His Majesty the King of Denmark duly authorized to receive said money, in full consideration of the cession of the Danish West Indian Islands to the United States made by the convention between the United States of America and His Majesty the King of Denmark entered into August 4, 1916, and ratified by the Senate of the United States on the 17th day of January, 1917.

SEC. 6. That the sum of \$50,000 is hereby appropriated for the purpose of carrying this act into effect, to be paid out of any money in the Treasury not otherwise appropriated and to be applied under the direction of the President of the United States.

SEC. 7. That this act, with the exception of section 5, shall be in force and effect and become operative immediately upon the payment by the United States of said sum of \$25,000,000. The fact and date of such payment shall thereupon be made public by a proclamation issued by the President, and published in the said Danish West Indian Islands and in the United States. Section 5 shall become immediately effective and the appropriation thereby provided for shall be immediately available.

Amend the title so as to read:

"A bill to provide a temporary government for the West Indian Islands acquired by the United States from Denmark by the convention entered into between said countries on the 4th day of August, 1916, and ratified by the Senate of the United States on the 7th day of September, 1916, and for other purposes."

The SPEAKER. Is a second demanded?

Mr. FORDNEY. I demand a second.

Mr. FLOOD. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Michigan demands a second, and the gentleman from Virginia asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] is entitled to 20 minutes and the gentleman from Michigan [Mr. FORDNEY] to 20 minutes.

Mr. FLOOD. Mr. Speaker, this bill provides a government for the West Indian Islands acquired by the United States from Denmark by treaty entered into between said countries on the 4th day of August, 1916, and ratified by the Senate of the United States on the 7th day of September, 1916; provides for raising revenue to support the government of the islands; and makes an appropriation to pay Denmark the amount agreed upon by the treaty.

These islands consist of three larger islands and a number of smaller islands. The larger ones are St. Thomas, St. John, and St. Croix. Their population is about 33,000. St. Thomas has an extraordinary fine harbor, which is deemed a very desirable acquisition.

The trade of the islands is largely with the United States and amounts to over a million and a quarter dollars. It has long been the opinion of Americans that we should own these islands. The first negotiations looking to the acquisition of them was begun by Mr. Seward in 1866, during the administration of Mr. Lincoln. At that time there were a number of offers and counteroffers, and finally our Secretary of State offered

\$7,500,000 for the islands of St. John and St. Thomas. The question of the sale was submitted to the people of the two islands and they voted overwhelmingly in favor of it. The Rigsdag of Denmark promptly ratified the treaty and the King signed it. It was not acted upon by our Senate for several years and was then rejected.

Another treaty was entered into in 1902 for the purchase of all three of the islands and the adjacent islands and rocks, the consideration being \$5,000,000. This was ratified by the United States Senate, but was rejected by one of the houses of the Danish Rigsdag.

The present treaty has been ratified by both countries.

The advantages of securing the islands are well stated by Secretary Lansing:

This convention is responsive to the conviction of both Governments, as well as of the people of the islands, that the Danish West Indies should belong to the United States. This conviction, as is well known, has been manifested in earlier treaties for the transfer of these islands to the United States. Without entering upon any extended historical review of the negotiations of these earlier treaties, it may be pointed out that the first negotiations for the purchase of the islands were initiated by Secretary Seward during the administration of President Lincoln and before the close of the Civil War, culminating in the convention signed at Copenhagen October 24, 1867, during the administration of President Johnson, for the cession of the islands of St. Thomas and St. John. It is the opinion of students of the subject that this convention was brought about through the conviction of the United States, gained by its naval operations during the Civil War, of the need of a naval coaling supply and repair station in the Caribbean Sea in order that the United States might be placed on a footing with other great powers owning islands in those waters. This conviction, no doubt, was strengthened by the fact that the United States emerged from that war as a maritime power to whom a good harbor and depot in the West Indies had become a matter of so great importance, if not of necessity, that the United States could not wish to see the Danish West Indies fall into the hands of another power.

Although the plebiscite in St. Thomas and St. John held under the treaty of 1867 was overwhelmingly in favor of the cession, and the treaty was promptly approved by the Danish Rigsdag and ratified and signed by the King, and although the period for ratification was extended from time to time to April 14, 1870, the Senate Committee on Foreign Relations took no action until March 24, 1870, when Senator Sumner reported it adversely and the Senate acquiesced in that opinion.

Prior to the Spanish War overtures were again made for the cession of the islands—this time initiated by the Danish Government. During the Spanish War the question of the purchase of the islands was further agitated. Concurrently with the discussion of the Isthmian Canal and the protection of the islands obtained from Spain, a second treaty for the purchase of the Danish West Indies was signed at Washington, January 24, 1902. In reporting this treaty favorably to the Senate, Senator Cullom, of the Committee on Foreign Relations, stated:

"These islands, together with Porto Rico, are of great importance in a strategic way, whether the strategy be military or commercial. St. Thomas is the natural point of call for all European trade bound to the West Indies, Central America, or northern South America. These islands, together with Porto Rico, form the northeastern corner of the Caribbean Sea, and are of great importance in connection with the American isthmus, where a canal will be constructed between the Atlantic and Pacific. They are of first importance in connection with our relations to the region of the Orinoco and the Amazon and with our control of the Windward Passage."

The treaty was approved by the United States Senate February 17, 1902, but failed of ratification by a tie vote in the upper house of the Danish Rigsdag.

All of the reasons upon which the two prior treaties were based, whether strategic, economic, or political, are of more force to-day than in previous years. There can be no question as to the value of St. Thomas Harbor as a naval port, with its circular configuration, ample roadsteads, protection from prevailing winds and seas, and facilities for fortifications. Moreover, the advantages of the possession of a naval base off the entrance of the Panama Canal and near the island of Port Rico are self-evident.

The commercial value of the islands can not be doubted. Lying in close proximity to many of the passages into the Caribbean Sea, the use of St. Thomas Harbor as a supply station for merchant ships plying between the United States and South America, and for vessels in other trades, is of great importance. The existing modern harbor works, floating docks, marine slip and wharves provided with electric cranes, oil reservoirs, coal depots, fresh-water tanks, machine shops, and warehouses contribute to the commercial advantages of St. Thomas Harbor as a port of call and transshipment for ships in the Central and South American trades.

The political importance of extending American jurisdiction over the islands is not to be overlooked. The Caribbean is within the peculiar sphere of influence of the United States, especially since the completion of the Panama Canal, and the possibility of a change of sovereignty of any of the islands now under foreign jurisdiction is of grave concern to the United States. Moreover, the Monroe doctrine, a settled national policy of the United States, would have caused this country to look with disfavor upon the transfer of sovereignty of the Danish West Indies to any other European nation.

In view of these considerations, the treaty of cession of these islands to the United States is a matter of no small moment to this country. I do not hesitate, therefore, to recommend that the Congress be urged to take action during the present session to enable this Government to discharge its conventional obligation to Denmark by the payment to the Government of Denmark of the sum of \$25,000,000 by April 17 next.

It is apparent that the Danish Government desires to dispose of the islands, and certainly it is very important to this country, and particularly at the present time, that no other Government be allowed to acquire them.

Mr. CALDWELL. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. CALDWELL. On page 3, paragraph 3, there is a provision for an export tax of \$8 a ton on sugar. Can the gentleman tell the House something about the conditions under which that is to be levied?

Mr. FLOOD. I will. I want to say, Mr. Speaker, that the jurisdiction of the provisions of this bill referring to import and export duties properly belonged to the Ways and Means Committee, but the general subject of the bill belongs to the Foreign Affairs Committee; so the whole matter was referred to that committee, which has reported the revenue provisions as well as the others. In view of the fact that it is necessary to get this bill through promptly the Ways and Means Committee decided not to raise any question as to jurisdiction, but to let the bill go through as reported, without having it considered as a precedent for the future.

The Ways and Means Committee considered the provisions of sections 2, 3, and 4 of the bill, and the Foreign Affairs Committee accepted the amendments suggested by the Ways and Means Committee.

To return to the question of the gentleman from New York [Mr. CALDWELL], the imports into these islands are largely from this country, and they produce a revenue of about \$100,000 a year. To make up for the loss of that revenue when we have free trade with the islands we have authorized the imposition of an export duty of \$8 a ton on sugar. At \$8 a ton the 15,000 tons exported will make up the revenue that they lose in import duties.

Mr. CALDWELL. There is a constitutional provision that prevents the levying of an export duty in the United States, is there not?

Mr. FLOOD. This is not a part of the United States yet.

Mr. CALDWELL. It will be as soon as we take possession of it, will it not?

Mr. FLOOD. No. It will be a possession.

Mr. FESS. Will the gentleman yield for a question?

Mr. FLOOD. Yes.

Mr. FESS. Does the bill propose to form any sort of government for those islands?

Mr. FLOOD. A temporary government only.

Mr. FESS. While the temporary government is in operation, will it be under the Executive department of the United States?

Mr. FLOOD. Absolutely under the Executive department. The islands will be in the possession of this Government and under the Executive department.

Mr. FESS. Will it come under the jurisdiction of the insular committee at any time?

Mr. FLOOD. Not unless the rules are changed. Under the rules of the House the jurisdiction of the insular committee is confined to the possessions that were acquired by the treaty of 1898.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. MOORE of Pennsylvania. When the bill was before the Ways and Means Committee it provided in the first paragraph that the provision of section 1591 of the Revised Statutes of 1878 should not apply to these islands. That provision of the Revised Statutes is that the Constitution and laws of the United States so far as applicable shall apply to all of our Territories.

Mr. FLOOD. That was in the bill as originally introduced. When the bill was reported from the Committee on Foreign Affairs it was not left in it, and when it went to the Committee on Ways and Means it was not in it. Whether it was in it or not made no difference, because the section the gentleman refers to applies to organized Territories of the United States, and these islands do not constitute organized Territories.

Mr. MOORE of Pennsylvania. As the bill was read from the desk as amended, that provision in relation to the Constitution and laws being applicable is not provided for.

Mr. FLOOD. No; the provision in the bill as originally introduced excluded the section the gentleman mentioned. The bill as amended by the Committee on Foreign Affairs does not take any notice of that because the committee concluded that it was unnecessary. That statute would not apply to these islands because they do not constitute an organized Territory of the United States.

Mr. MOORE of Pennsylvania. But the President is to have control regardless of that statute until Congress shall provide otherwise.

Mr. FLOOD. Exactly.

Mr. MOORE of Pennsylvania. Is the amendment with respect to the articles of growth and products of the island—the tariff provision—the same as it came from the Ways and Means Committee?

Mr. FLOOD. Absolutely. It was not changed at all.

Mr. MOORE of Pennsylvania. No change by the Foreign Affairs Committee after it came back?

Mr. FLOOD. None whatever.

Mr. MOORE of Pennsylvania. It is the same provision that was made in the Philippine bill?

Mr. FLOOD. That is my understanding, and I was so informed by the chairman of the Ways and Means Committee.

Mr. MOORE of Pennsylvania. And in the previous tariff laws?

Mr. FLOOD. Yes. Mr. Speaker, I reserve the balance of my time.

Mr. FORDNEY. Mr. Speaker, I yield five minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Speaker, Hamlet, the Prince of Denmark, complained of the "overripeness" of the State of Denmark. If he were living now he would make no complaint about lack of thrift on the part of his State, because they are selling three little islands of 138 square miles to the Yankees for \$25,000,000. Talk about the high cost of living, it does not keep pace with the high cost of land.

This land was quoted some time ago at \$5,000,000; offered to us later at \$7,500,000. They turn it over to us at the rate of \$285 an acre. For the blacks living there we are paying \$825 for each human soul. We are paying for it \$24,999,976 more than we paid for Manhattan Island; \$24,920,000 more than was paid for the State of Pennsylvania by William Penn; \$15,000,000 more than the Gadsden Purchase, with its 45,000 square miles; \$10,000,000 more than we paid for the Louisiana Purchase, containing 820,000 square miles; \$4,900,000 more than we paid for 1,700 islands in the Philippine group, containing 122,000 square miles; more by \$2,800,000 than we paid for the Louisiana and Alaska Purchases combined. We paid less for one-third of the area of the United States and all her possessions than we pay for these three little sanctified islands.

Mr. HULBERT. Will the gentleman yield?

Mr. SLOAN. Yes.

Mr. HULBERT. Is not our title to the Danish Islands more permanent than our title to the Philippines, for which we paid \$20,000,000?

Mr. SLOAN. I do not know; the fact that we are appropriating out of a Treasury where there is nothing may strengthen our title. Then, too, you know our title to the Philippines is waxing stronger since the party in power repudiated its pledge made at Baltimore in 1912 to grant independence to the Philippines.

Mr. MURRAY. Will the gentleman yield?

Mr. SLOAN. Yes.

Mr. MURRAY. Does not the gentleman think that Japan would give \$25,000,000 for one of our ports?

Mr. SLOAN. Oh, I think they would for the port of New York or a port in Oklahoma. [Laughter.]

Mr. MURRAY. We would not take that for one of our oil wells.

Mr. FESS. We once had the islands offered us for seven and a half million dollars.

Mr. SLOAN. Five million dollars first.

Mr. FESS. No; seven and a half million. Why did not we buy them?

Mr. SLOAN. I do not know; I suppose they wanted to wait until they found the Treasury in such a condition as we find it now; because it is much easier to buy when you are not limited by what you have. The limit of what you have not is so broad that you can appropriate from it with a great deal more ease. [Laughter.]

Mr. MILLER of Minnesota. Mr. Speaker, will the gentleman yield to me for a moment in order to answer the gentleman?

Mr. SLOAN. I shall be delighted to, because I know the gentleman can do it so much better than I.

Mr. MILLER of Minnesota. Oh, no; but I desire to state that it is persistently rumored that the reason the Senate of the United States declined to ratify the treaty by which we proposed to buy these islands in 1867 was that shortly thereafter a very large hurricane visited that section doing a great deal of damage, and that the Yankees began to feel that the dollars they were expending—these seven and a half million dollars—were perhaps too much money to buy a hurricane-ridden section. I want to be frank to say that we are all agreed, I think, at least those of us who have historically examined the subject, that that is one of the blots upon the history of the United States. Either we should not have tried to enter into that treaty at all or when we did enter into it we should have stood by it.

Mr. SLOAN. Mr. Speaker, I want to remark in the brief time that I have that we refused to buy it at a hurricane time. That is, we refused to buy it on wind, then, but we are buying it strictly on wind now.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. FESS. My impression is that it was not the Senate of the United States that refused to ratify that treaty. Am I mistaken about that?

Mr. FLOOD. The gentleman is mistaken about that. The Senate of the United States refused to ratify that treaty.

Mr. FESS. Then it was our fault.

Mr. FLOOD. They wanted the two smaller islands.

Mr. SLOAN. Moreover, we are paying \$15,000,000 more for these islands than we paid for the Panama Canal Zone, not including, of course, the railroad and the French interests. This zone is the greatest maritime and commercial strategic point in the world.

These little islands will cost nearly 30 per cent of all the lands purchased by the United States in all our history.

An inquiry might at this time be submitted: If little Denmark can make diplomatic and financial game of us, as I have set forth, what would there be left of us should we sit in a settling game at a table where all the nations of Europe would participate with the United States as the one big, generous, guileless, full-pursed participant?

It is suggested that the strategic value of these islands is great. Not for the present war period, because it will take years to fortify them. If we fortify them in accordance with their purchase price, and then fortify to the same degree our other strategic positions, and then build up a Navy to correspond therewith, it will entail an expenditure in the next 10 years of over \$25,000,000,000. And while we may appropriate lavishly from a deficit, debts can not be discharged therefrom. [Applause.]

Mr. FORDNEY. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I want to ask a question, and I am depending upon my recollection. Have there been two treaties made with Denmark for acquiring these islands prior to this?

Mr. FLOOD. I shall be glad to answer the question. There was one treaty in 1867, which provided for the payment of seven million and a half dollars for St. John and St. Thomas. That treaty was rejected by the United States Senate in 1870 or 1871. Another treaty, negotiated in 1902, provided for the payment of \$5,000,000 for all three of the islands, and that was rejected by the Rigsdag of Denmark.

Mr. CANNON. By one vote.

Mr. FLOOD. Yes.

Mr. CANNON. That was my recollection, that the last treaty that was made prior to this one we were to pay \$5,000,000, but finally, as the gentleman stated, it was turned down by Denmark; and if I recollect right, the statement was made in the newspapers that this was done after consideration by one vote in their parliamentary body. Now comes this treaty for \$25,000,000. The President negotiates treaties and the Senate ratifies them in the event they are ratified. The House has the power to refuse the money. My recollection is—and I hope I shall be corrected if it is wrong—that we once entered into a treaty with Mexico away back in the seventies, and if I recollect right—I have not examined it lately—the Senate ratified the treaty and the House defeated it by refusing to appropriate the money.

The House has always the power to refuse to ratify a treaty that requires an appropriation, and if this appropriation should fail, of course, so far as the United States is concerned, it would not be ratified. Talk about jurisdiction! This proposition is exceptional, coming near the close of the session. This is a deficiency appropriation; that is, it is one to be appropriated for the current year. The Committee on Appropriations, by one of its subcommittees, had a hearing upon it the other day, considering it in connection with the deficiency appropriation bill, which bill is to carry \$100,000,000 in round figures for the current year. I supposed that bill would pass and that the House would have an opportunity to discuss it, not under suspension of the rules but to discuss it as general appropriation bills are discussed—in general debate and then under the five-minute rule. I apprehend that this bill will pass, notwithstanding it contains the revenue measure as well as the appropriation provision for \$25,000,000. It is a very serious question in my mind whether it is not \$25,000,000 thrown away. Can any gentleman tell me whether we are to fortify St. Thomas?

Mr. FLOOD. Yes.

Mr. CANNON. Some gentleman says "Yes"; and I have asked a dozen men, and they have said "No."

Mr. SHERLEY. Mr. Speaker, will the gentleman yield.

Mr. CANNON. Yes.

Mr. SHERLEY. How about its being owned by some other country that might fortify it? What is the value of Heligoland now to Germany, that England sold?

Mr. CANNON. Oh, well, what is the matter with the harbors that Great Britain has in the West Indies, the French West Indies, with great harbors in Haiti. There are harbors and there are different ports there. We flap our wings and crow and say under the Monroe doctrine that nobody shall get a holding in this country, at least no Government on the Continent, and yet how much protection does that give us if we were to have a falling out with France or have a falling out with Great Britain? Germany has not any foothold—perhaps she ought not to have it. We assert the Monroe doctrine—assert it with force. Japan has not any hold, yet there are harbors on the Pacific coast and—

The SPEAKER. The time of the gentleman has expired.

Mr. CANNON. Can the gentleman yield me two minutes more?

Mr. FORDNEY. I yield two minutes more to the gentleman.

Mr. CANNON. Any of these countries can get harbors in North America or South America or in the West Indies if they are strong enough to take them. I doubt very seriously, with all the harbors we have to fortify, whether this would be fortified or not, and if Germany could take St. Thomas by force, if that is the great bugbear in front of us, could not she take Cape Haytien by force, could not she take the harbors of Haiti? Are we going to fortify all the harbors? I believe there are none in Nicaragua, but we have possessions now, under the Monroe doctrine, in Santo Domingo and Haiti both. Twenty-five million dollars gone—extravagant price to pay—but I guess you are liable to pass it, you know. [Applause.]

Mr. FORDNEY. I yield two minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Mr. Speaker, I am glad indeed to have the gentleman from Michigan recognize me for two minutes on a bill that is reported from the Committee on Foreign Affairs. [Laughter.] With some of the things the distinguished gentleman from Illinois [Mr. CANNON] has said I might agree. Perhaps it is an extravagant price and yet I think this bill ought to pass and pass to-day. As to the jurisdiction of the Committee on Foreign Affairs in the matter of this appropriation, I call the attention of the House to the language of Rule XI:

All proposed legislation shall be referred to the committees named in the preceding rule as follows, namely: Subjects relating to the relations of the United States with foreign nations, including appropriations therefor, to the Committee on Foreign Affairs.

This bill is to carry out the provisions of a treaty with a foreign nation, the recommendation of which appropriately comes from the Committee on Foreign Affairs. And I conclude by saying what I said at first, that I think the bill ought to pass and pass now.

Mr. FLOOD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, the price may seem a little high; it is high compared with the amounts that have been agreed upon tentatively heretofore. But after all we pay much higher prices for things now than we did when we bought Louisiana and the West, more than we did when we bought Alaska from Russia. I am not disposed to criticize the administration for the price that it names. Doubtless they did the best they could. A previous offer had been rejected by Denmark. I think we ought to take every opportunity that can come to us to own these little islands among the West Indies. [Applause.] And I think that we ought to own the Danish West India Islands. Whether we will fortify the harbor at St. Thomas I do not know, probably not at once, but certainly we will eventually. Now, this bill comes up under a motion to suspend the rules. I would prefer if we had the time that there should be longer debate upon the bill, but we are in the closing hours of the session. It is necessary to pass this bill at this session or we will undoubtedly have an extra session and pass it then. It is necessary to pay the money within the 90 days which is provided. If we are to obtain the islands and if we obtain the islands, it is essential that we pass some kind of legislation giving the President the power to have a government on those islands.

The committee has followed the precedent set in the Louisiana Purchase and in Panama Canal Zone, practically, by authorizing the President to conduct the Government until Congress otherwise provides. In the Panama Canal Zone matter we passed a bill giving the President power to carry on the government there until the end of the next session of Congress. The next session of Congress came and went, but made no provision for further government. However, President Roosevelt, with some criticism

leveled against him by gentlemen on the Democratic side, did the only thing he could do. He kept up the government which Congress had inaugurated there, and without that there would have been chaos in the Panama Canal Zone. Unless we provide here, or unless the President executes the power which the Constitution does not really give him, we would have chaos in these islands if we paid the money without providing what the President may do. And I am in favor of taking the islands, of governing them, and in the end giving the people there as much local self-government as possible, remembering all the time that the interests of the great United States are somewhat at stake. We ought to dominate the West India Islands. [Applause and cries of "Vote!" "Vote!"]

Mr. FORDNEY. Mr. Speaker, I yield three minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, out of the depths of a bottomless and abysmal deficit we are to pay \$25,000,000 for a bunch of West India Islands that, in my opinion, we do not need, and that will never be of any use or value to us. It may be true we should start out on this sort of real estate speculation down yonder in the Caribbean Sea and thereabouts, but, if we do, at least we should not place the price quite so high when we begin our experiments in buying questionable territory.

Mr. KENNEDY of Rhode Island. Will the gentleman yield for a question?

Mr. MONDELL. I yield.

Mr. KENNEDY of Rhode Island. I understood the gentleman to say a moment ago that we do not, in his opinion, need these Danish West Indies?

Mr. MONDELL. That is what I said.

Mr. KENNEDY of Rhode Island. Does the gentleman realize—

Mr. MONDELL. I can not yield for a speech.

Mr. KENNEDY of Rhode Island (continuing). That the Republican platform of 1896 contained this language:

And by the purchase of the Danish Islands we should secure a proper and much-needed naval station in the West Indies.

Mr. MONDELL. And about that time we turned down a proposition to purchase these same islands for \$7,500,000.

Mr. KENNEDY of Rhode Island. I do not think the gentleman is correct about that. It was in 1870 we turned that proposition down.

Mr. MONDELL. We are now proposing to pay \$25,000,000 for them—\$300 an acre; \$800 an inhabitant. Since that time we have acquired a naval station in the West Indies, at Guantanamo, an infinitely better naval station than we can have at the diminutive harbor of St. Thomas. Of course, we could fortify all of the harbors of all the islands of the West Indies that we saw fit to fortify, and burden the future for it, as we will in this case by an issue of bonds. If we continue at the present rate, we may at some time do so. But, in my opinion, this purchase of the islands at a fancy price is simply a waste of public money. [Cries of "Vote!" "Vote!"]

The SPEAKER. The question is on suspending the rules and passing the bill with the amendments read into it.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill as amended was passed.

HOOR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. HULBERT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. SANFORD. Mr. Speaker, I make the same request with reference to printing a speech of Mr. Barnes, of Albany, at the Lincoln Day dinner.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SULLOWAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a memorial to the Congress on the passage of the bill H. R. 18721.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

ENROLLED JOINT RESOLUTIONS SIGNED.

The SPEAKER announced his signature to enrolled joint resolutions of the following titles:

S. J. Res. 157. Joint resolution giving authority to the Commissioners of the District of Columbia to make special regulations for the occasion of the reunion of the Confederate Veterans' Association, to be held in the District of Columbia in the year 1917, and for other purposes incident to said encampment; and

S. J. Res. 205. Joint resolution authorizing the removal of the statue of Admiral Dupont in Dupont Circle, in the city of Washington, D. C., and the erection of a memorial to Admiral Dupont in place thereof.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 9288. An act providing for the refund of certain duties illegally levied and collected on acetate of lime;

H. R. 11474. An act authorizing the Secretary of Commerce to permit the construction of a public highway through the fish-cultural station in Unicoi County, Tenn.;

H. R. 17710. An act authorizing the construction of a bridge across the Tallapoosa River, separating the counties of Montgomery and Elmore, in the State of Alabama, at a point somewhere between Juckin Ferry and Hughes Ferry;

H. R. 18529. An act granting the consent of Congress to the police jury of Rapides Parish, La., to construct a bridge across Red River at or near Boyce, La.;

H. R. 12463. An act for the relief of Meredith G. Corlett, a citizen and resident of Williamson County, Tenn.; and

H. R. 12541. An act authorizing insurance companies and fraternal beneficiary societies to file bills of interpleader.

CHANGE OF REFERENCE.

Mr. RANDALL. Mr. Speaker, the bill (H. R. 6814) to exclude intoxicating liquors from national parks and national forest reserves is, by error, on the Union Calendar. I ask that it be transferred to the House Calendar.

Mr. STAFFORD. Mr. Speaker, I object at this late hour. The gentleman can make his motion to-morrow.

EXTENSION OF REMARKS.

Mr. KENNEDY of Rhode Island. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD on the Danish West Indies bill.

The SPEAKER. The gentleman from Rhode Island asks unanimous consent to extend his remarks in the RECORD on the Danish West Indies bill. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 59 minutes p. m.) the House, under its previous order, adjourned until Tuesday, February 20, 1917, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of the Navy, submitting additional and supplemental estimates of deficiencies in appropriations required by the Navy Department for the fiscal year 1917 (H. Doc. No. 2070); was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 5768) for the relief of Frank Carpenter, reported the same without amendment, accompanied by a report (No. 1507), which said bill and report were referred to the Private Calendar.

Mr. PETERS, from the Committee on Claims, to which was referred the bill (H. R. 20436) for the relief of Alfred B. Andrews, reported the same with amendment, accompanied by a

report (No. 1509), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LEVER: A bill (H. R. 20963) to amend Part C, known as the United States warehouse act, of an act of Congress entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes," approved August 11, 1916; to the Committee on Agriculture.

By Mr. TIMBERLAKE: A bill (H. R. 20964) authorizing the Secretary of War, in his discretion, to deliver to the board of county commissioners, Logan County, Colo., four condemned bronze or brass cannon or fieldpieces, with their carriages and a suitable outfit of cannon balls; to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 20965) to establish a National Commission of Aeronautics, and for other purposes; to the Committee on Appropriations.

By Mr. STEPHENS of Texas: A bill (H. R. 20966) to establish a branch Federal land bank at Wichita Falls, in northwest Texas; to the Committee on Banking and Currency.

By Mr. FITZGERALD: A bill (H. R. 20967) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. RAKER: A bill (H. R. 20968) to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes; to the Committee on the Public Lands.

By Mr. FARR: A bill (H. R. 20969) to amend the public building act approved March 4, 1913, authorizing the acquisition of a suitable site for a public building at Olyphant, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. HASTINGS: A bill (H. R. 20970) providing for an additional judge for the eastern district of Oklahoma; to the Committee on the Judiciary.

By Mr. BLACKMON: A bill (H. R. 20971) to make further provision for the organization of native troops in the Philippine Islands; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 20972) to authorize the placing on a roll in the War Department, designated as "The Civil War Volunteer officers' retired list," the name of Morton A. Pratt, first lieutenant Company A, Third Illinois Cavalry of the United States in the Civil War; to the Committee on Military Affairs.

Also, a bill (H. R. 20973) granting an increase of pension to Morton A. Pratt; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 20974) granting an increase of pension to Nathan L. Nims; to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 20975) for the relief of William E. Jones, Faribault, Minn.; to the Committee on Military Affairs.

By Mr. DILL: A bill (H. R. 20976) granting an increase of pension to George Bannar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20977) granting a pension to John G. Miller; to the Committee on Pensions.

Also, a bill (H. R. 20978) granting a pension to W. A. Davis; to the Committee on Pensions.

By Mr. ESCH: A bill (H. R. 20979) granting an increase of pension to Henry D. Potter; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 20980) granting an increase of pension to Cyrenus F. Horton; to the Committee on Invalid Pensions.

By Mr. MILLER of Delaware: A bill (H. R. 20981) authorizing the owners of square 710, District of Columbia, to construct, maintain, and operate an elevated railway siding track; to the Committee on the District of Columbia.

By Mr. NEELY: A bill (H. R. 20982) granting an increase of pension to Mary E. Hine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20983) granting an increase of pension to Jerry A. Fitzgerald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20984) granting an increase of pension to Beckwith A. McNemar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20985) granting an increase of pension to Fannie R. Wells; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20986) granting an increase of pension to George Keck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20987) granting an increase of pension to John W. Oldfield; to the Committee on Pensions.

Also, a bill (H. R. 20988) granting an increase of pension to Walter Griffith; to the Committee on Pensions.

Also, a bill (H. R. 20989) granting a pension to Thurman L. Anglemyer; to the Committee on Pensions.

By Mr. SWEET: A bill (H. R. 20990) granting an increase of pension to Elizabeth C. Van Gundy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20991) granting an increase of pension to Michael J. Breyfogel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20992) granting an increase of pension to Lizzie S. Williams; to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 20993) to correct the military record of Capt. John H. Holbrook; to the Committee on Military Affairs.

Also, a bill (H. R. 20994) to correct the military record of Louis Smith Kelly; to the Committee on Military Affairs.

By Mr. GALLIVAN: A bill (H. R. 20995) granting an increase of pension to Frances E. C. Horton; to the Committee on Invalid Pensions.

By Mr. GRIFFIN: Resolution (H. Res. 514) providing for the consideration of H. R. 6915; to the Committee on Rules.

By Mr. MILLER of Delaware: Joint resolution (H. J. Res. 374) to grant citizenship to Harry Kety; to the Committee on Immigration and Naturalization.

By the SPEAKER (by request): Memorial of the Legislature of the State of North Dakota, favoring the construction of a wagon bridge across the Missouri River; to the Committee on Roads.

By Mr. MURRAY: Memorial of the Legislature of the State of Oklahoma, expressing confidence in the action of President Woodrow Wilson, toward a world-wide Monroe doctrine, and his support of a league of nations to preserve the peace of the world; to the Committee on Foreign Affairs.

By Mr. FITZGERALD: Memorial of the Legislature of the State of New York, favoring an appropriation of \$1,395,275 for the transfer to the Federal Government of the quarantine establishment of the port of New York; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of New York, favoring the passage of H. R. 20080; to the Committee on Agriculture.

By Mr. TAYLOR of Colorado: Memorial of the Legislature of the State of Colorado, favoring the establishment of tactical division of the United States Army at Fort Logan, Colo.; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of National Grange, Furniss, Pa., protesting against Underwood oleomargarine amendment to the revenue bill; to the Committee on Ways and Means.

Also (by request), memorial of Farmers' National Congress of the United States, protesting against the Underwood oleomargarine amendment to the revenue bill; to the Committee on Ways and Means.

Also (by request), memorial adopted by the National Board of Directors of the Farmers' Educational and Cooperative Union of America, opposing the Underwood oleomargarine amendment to the revenue bill; to the Committee on Ways and Means.

By Mr. BROWNING: Petitions of sundry citizens of the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. CAREW: Petition of the Commercial Exchange of Philadelphia, Pa., approving the act of the President of the United States in severing relations with Germany; to the Committee on Foreign Affairs.

By Mr. CARTER of Massachusetts: Petition of E. W. and F. B. Dean and M. C. Hardy, of Roxbury, Mass., relative to program of President in his speech of January 22, 1917; to the Committee on Foreign Affairs.

By Mr. CARY: Petition of O. L. Hollister, president of the Federal Malleable Co., of West Allis, Wis., urging passage of House bill 17350; to the Committee on Interstate and Foreign Commerce.

Also, petitions of South Side Mill Work Co.; Pioneer Brotherhood, No. 2, National Association of Letter Carriers; and the Linde Air Products Co., of Milwaukee, Wis., favoring House bill 17806, relative to salaries of post-office employees; to the Committee on the Post Office and Post Roads.

Also, petition of F. G. Findley, president of Wisconsin Paste Co., of Milwaukee, Wis., favoring prohibitory legislation; to the Committee on the Judiciary.

By Mr. CHARLES: Petition of the Trades Assembly, Schenectady, N. Y., for a referendum before any declaration of war; to the Committee on Foreign Affairs.

By Mr. COOPER of Ohio: Memorial of Board of Trade, Warren, Ohio, indorsing Senate bill 7909; to the Committee on Immigration.

By Mr. DALE of New York: Petition of Juvenile Aid Society of Philadelphia, favoring House bill 92, to establish a probation system in the United States courts; to the Committee on Rules.

Also, petition of Corrugated Bar Co., Buffalo, N. Y., protesting against the Federal tax on excess profits; to the Committee on Ways and Means.

Also, petition of Fort Orange Paper Co., New York City, opposing a portion of House bill 20573, to provide for increased revenue; to the Committee on Ways and Means.

Also, petition of Farmers' National Congress of the United States, protesting against the Underwood oleomargarine amendment to the revenue bill; to the Committee on Ways and Means.

Also, memorial of citizens of the city of Minneapolis, against being drawn into war; to the Committee on Foreign Affairs.

By Mr. DYER: Petitions of owners of Western River steam vessels, of St. Louis, Mo., relative to salaries of clerks and inspectors of United States Steamboat-Inspection Service; to the Committee on Appropriations.

By Mr. EAGAN: Petition of Chamber of Commerce of the State of New York, against Federal encroachment on State revenue sources; to the Committee on Ways and Means.

Also, petition of New York Navy Yard Painters' Association, protesting against an increase of but 8 cents per diem in their salary; to the Committee on Naval Affairs.

Also, petition of New Jersey Press Association, against passage of the Owen corrupt-practices bill; to the Committee on the Judiciary.

Also, memorial of Chamber of Commerce of New York State, favoring any taxation necessary to provide for the protection of American lives and vessels and other American property throughout the world; to the Committee on Ways and Means.

Also, memorial adopted by the antiwar mass meeting under the auspices of the Socialist-Labor Party, New York City, protesting against forcing this country into war; to the Committee on Foreign Affairs.

Also, petition of Navy Yard Retirement Association, New York, favoring House bill 5757; to the Committee on Pensions.

By Mr. ESCH: Petition of Wisconsin State Federation of Labor, against the United States in war with any nation; to the Committee on Foreign Affairs.

Also, petition of American citizens of Minneapolis, Minn., against United States in war with any nation; to the Committee on Foreign Affairs.

By Mr. FOSS: Memorial of citizens of Wilmette, Ill., relative to moral environment of the soldier in military preparedness; to the Committee on Military Affairs.

By Mr. FULLER: Petitions of citizens of Rockford, Ill., against any participation in the European war and urging a referendum vote before any declaration of war; to the Committee on Foreign Affairs.

Also, petition of H. A. Bent, Oglesby, Ill., for prohibitory bills; to the Committee on the Judiciary.

Also, memorial adopted at a mass meeting of 3,500 citizens of Minneapolis, in favor of this country remaining at peace and opposing any participation in the European war; to the Committee on Foreign Affairs.

Also, petition of German-American Commerce (Inc.), concerning protection of American interests at sea; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Petition of citizens of New York City, relative to food embargo; to the Committee on Interstate and Foreign Commerce.

Also, petition of letter carriers of the United States, favoring a retirement law and increase in salary; to the Committee on the Post Office and Post Roads.

Also, petitions of sundry citizens of Minneapolis, Minn., and of Boston, Mass., against this country in war with any nation; to the Committee on Foreign Affairs.

Also, petition of E. B. Whitingham, of Boston, Mass., urging adoption of proposal of Massachusetts branch of the League to

Enforce Peace by the United States; to the Committee on Foreign Affairs.

Also, memorial of the Springfield Board of Trade, opposed to divorcement of the Sound steamship lines from the New York, New Haven & Hartford Railroad system; to the Committee on Interstate and Foreign Commerce.

Also, petition of Farmers' National Congress of United States, against the Underwood oleomargarine amendment to the revenue bill; to the Committee on Ways and Means.

By Mr. GOODWIN of Arkansas: Papers to accompany House bill 20913, granting a pension to Charles L. Thornton; to the Committee on Pensions.

By Mr. GRIFFIN: Petition of Chamber of German-American Commerce (Inc.), New York City, relative to protecting American cargoes; to the Committee on Interstate and Foreign Commerce.

Also, memorial of food-embargo committee, New York City, relative to embargo on foodstuffs; to the Committee on Interstate and Foreign Commerce.

Also, memorial of a mass meeting of citizens of Minneapolis, against war; to the Committee on Foreign Affairs.

By Mr. HOLLINGSWORTH: Memorial of William O. Foster and 125 others and Elwood Thomasson and 125 other citizens of central eastern Ohio, against compulsory military training; to the Committee on Military Affairs.

By Mr. KETTNER: Petition of Miss Elizabeth Chapman and 6 others, of Redlands; Mrs. Isla Noyes, East San Diego; Henry Weihe, San Diego; Mrs. Kate A. Mitchell, secretary San Antonio Valley Improvement Association, Victorville; Mrs. Annee W. Jay, San Diego; and Mrs. Z. Weihe, San Diego, all in the State of California, favoring passage of House bill 19295; to the Committee on Interstate and Foreign Commerce.

Also, petition of T. J. C. Kelly, Santa Fe, Needles, Cal.; O. W. Phipps, Santa Fe, Needles, Cal.; E. A. Vahey, secretary-treasurer, A. M. Seymour, D. I. Carter, B. W. Cruikshank, J. W. Stagg, Ben S. Williams, C. A. Anderson, E. D. Metzger, Charles A. Lewis, C. L. Barrows, chairman conductors' committee, and William Duncan, all of the Order of Railway Conductors of America, No. 392, San Bernardino, Cal., protesting against passage of House bill 19730; to the Committee on the Judiciary.

Also, petition of Mrs. James R. Stevenson, California Federation of Women's Clubs, Imperial; David Starr Jordan, Leland Stanford Junior University, Stanford, University; and Mrs. Anna M. W. Connell, San Diego, all in the State of California, favoring House bill 20080; to the Committee on Foreign Affairs.

Also, petition of W. S. Conger, president of the Evening Index, San Bernardino, Cal., protesting against passage of House bill 18986 and Senate bill 4429, mail-exclusion bills; to the Committee on the Post Office and Post Roads.

Also, petition of David B. Todd, Escondido, and D. C. Collier, San Diego, both in the State of California, protesting against postal rates on second-mail matter according to zone system; to the Committee on the Post Office and Post Roads.

Also, petition of C. C. Redwine and 26 other clerks and carriers, of Riverside, Cal., favoring increase of pay for postal clerks and carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Clarence Harden, secretary Bar Association of San Diego, San Diego, Cal., favoring Smith bill for increase in salaries of judges of district courts of United States and circuit courts of appeal of United States; to the Committee on Appropriations.

Also, petition of F. V. Owen, secretary Arrowhead Trails Association, Redlands, Cal., favoring construction and maintenance of a system of national highways, to be built and maintained by the National Government; to the Committee on Roads.

By Mr. MORIN: Petition of H. S. Gerstein, I. A. Mazer, S. L. Fuss, and A. Epstein, committee of the Social Science Club of the University of Pittsburgh, Pittsburgh, Pa., protesting against any attempt to foist compulsory military service upon the Nation, and demanding that a national referendum be taken before any war is declared; to the Committee on Military Affairs.

By Mr. OAKEY: Petition of sundry citizens of Hartford, Conn., against being drawn into war; to the Committee on Foreign Affairs.

By Mr. TEMPLE: Petition of citizens of Beaver, Pa., favoring antipolygamy amendment to the United States Constitution; to the Committee on the Judiciary.

By Mr. TILSON: Petition of Prof. Henry W. Farnam and 100 others, of New Haven, Conn., for universal military service; to the Committee on Military Affairs.

By Mr. VARE: Memorial of Equal Franchise Society, of Philadelphia, Pa., favoring suffrage amendment; to the Committee on the Judiciary.

By Mr. VOLSTEAD: Petition of farmers of the State of Minnesota, relative to advance in the price of sisal fiber; to the Committee on Agriculture.

By Mr. WICKERSHAM: Petition of citizens of Ketchikan, Alaska, praying for the passage of Alaska halibut amendment to the House revenue bill; to the Committee on Ways and Means.

SENATE.

TUESDAY, February 20, 1917.

The Senate met at 10.30 o'clock a. m.

The Chaplain, Rev. Forest J. Prettyman, D. D., offered the following prayer:

Almighty God, we lift our hearts in humble, fervent prayer that we may have the Divine light upon our pathway this day. In the journey to which we at this time commit ourselves may we have the accompanying inspiration and light of the Divine presence. We have found that when we have exhausted all the resources of our human life still there are unsolved problems before us. There are questions pertaining to the eternal and the changeless and the absolute that must be solved only by the inspiration that Thou canst give to Thy servants who commit themselves to Thy will. Do Thou look upon us this morning and endue us with heavenly wisdom, that we may discharge the duties of this day in Thy sight and accomplish all Thy perfect will in us. For Christ's sake. Amen.

Mr. BRANDEGEE. Mr. President, I rise to a question of order.

Mr. TOWNSEND. I was going to suggest the absence of a quorum.

Mr. BRANDEGEE. I do not think that can be done when I am raising another question of order.

Mr. TOWNSEND. Very well; I do not care to insist on it.

Mr. BRANDEGEE. If the Chair will look at page 4014 of the RECORD, at the bottom of the second column, it appears that last night the Presiding Officer announced that "35 Senators have answered to their names. There is not a quorum present." Thereupon, on the first column of the next page, it appears that Mr. REED moved "that the Sergeant at Arms be directed to request the attendance of absent Senators. The motion was agreed to."

A little further down Mr. FLETCHER said:

Mr. President, I know that no business is in order. I think we ought to procure the attendance of absent Senators, and we ought to proceed with the business of the Senate.

Whereupon Mr. KENYON said:

Mr. President, I make the point of order that no business is in order. The PRESIDING OFFICER. The point of order is sustained. No business is in order.

Mr. KENYON (at 7 o'clock and 25 minutes p. m.). I move that the Senate adjourn.

Later on:

Mr. KENYON. I withdraw the motion, but I shall renew it in a little while.

Mr. OVERMAN. I move that when the Senate adjourns it adjourn to meet at half past 10 o'clock to-morrow morning.

The Chair will bear in mind there was no quorum present. The standing order of the Senate is that the Senate shall adjourn to meet at 11 o'clock. No other hour could be fixed for meeting in the absence of a quorum. Nothing was in order except to procure a quorum or to adjourn. I make the point of order that the Senate can not come in session until 11 o'clock.

Mr. OVERMAN. The Senator is right. I agree to it.

The VICE PRESIDENT. The Chair sustains the point of order.

Thereupon the Senate (at 10 o'clock and 35 minutes a. m.) dissolved to reassemble at 11 o'clock a. m.

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

We thank Thee, Almighty God, that Thou dost continually stir up within us an aspiration after the highest and the best. Thou hast taught us in Thy Word what is the chief good, and that we are to attain it by doing justly, loving mercy, and by walking humbly with God. We pray that the path of this day may contain within itself the effort on the part of each one of us to attain unto this highest good, that we in our outward lives may do justly, that in our inward spirit we may love mercy, and that in our upward life we may walk humbly with God. We ask for Christ's sake. Amen.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Husting	Newlands	Sterling
Borah	Johnson, Me.	Norris	Stone
Brady	Johnson, S. Dak.	Overman	Thomas
Brandeggee	Jones	Page	Thompson
Bryan	Kenyon	Pittman	Townsend
Catron	Kern	Polindexter	Underwood
Chamberlain	La Follette	Pomerene	Vardaman
Colt	Lane	Ransdell	Wadsworth
Cummins	Lea, Tenn.	Robinson	Walsh
Curtis	Lee, Md.	Shafroth	Warren
Fernald	Lodge	Sheppard	Watson
Fletcher	McCumber	Sherman	Weeks
Gronna	McLean	Simmons	Williams
Hardwick	Martine, N. J.	Smith, Md.	Works
Hollis	Nelson	Smoot	

Mr. CURTIS. I desire to announce the unavoidable absence of the Senator from New Hampshire [Mr. GALLINGER]. He is paired with the Senator from New York [Mr. O'GORMAN]. I will let this announcement stand for the day.

Mr. VARDAMAN. I desire to announce the unavoidable absence of the Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. CURTIS. I desire to announce the absence of the Senator from Ohio [Mr. HARDING] on account of illness. This announcement may stand for the day.

Mr. MARTINE of New Jersey. I rise to announce the absence of the senior Senator from Oklahoma [Mr. GORE] and the junior Senator from Illinois [Mr. LEWIS], both on account of illness. I ask that this announcement may stand for the day.

Mr. LEA of Tennessee. I have been requested to announce that the senior Senator from Kentucky [Mr. JAMES] is detained on official business.

Mr. WALSH. I have been requested to announce that the Senator from Delaware [Mr. SAULSBURY] is detained from the Senate on account of illness.

Mr. OVERMAN. I desire to announce that the Senator from Texas [Mr. CULBERSON], the Senator from Missouri [Mr. REED], the Senator from Georgia [Mr. SMITH], and the Senator from Vermont [Mr. DILLINGHAM] are absent on official business of the Senate.

Mr. SMOOT. I desire to announce the unavoidable absence of my colleague [Mr. SUTHERLAND].

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present. The Secretary will read the proceedings of the preceding session.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BRANDEGEE and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by E. T. Taylor, jr., one of its clerks, announced that the House had passed the following bills:

S. 1068. An act relating to desert-land entries;
S. 1697. An act to declare Ollala Slough in Lincoln County, Oreg., nonnavigable;
S. 2543. An act for the relief of the State of Kentucky;
S. 6654. An act to validate a patent to certain lands heretofore issued to the State of Florida; to allow the said State to claim certain other lands, and for other purposes;
S. 7796. An act authorizing the Secretary of the Interior to sell and convey to the Great Northern Railway Co. certain lands in the State of Montana for division terminal yards and other railway purposes, and for other purposes;
S. 8044. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act; and
S. 8079. An act to amend the first and seventh paragraphs of section 4414 of the Revised Statutes of the United States as amended by the act of April 9, 1906.

The message also announced that the House had passed the bill (S. 40) to authorize agricultural entries on surplus coal lands in Indian reservations, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 1792) for the relief of settlers on unsurveyed railroad lands, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 7644) to create a new division of the northern judicial district of Texas, and to provide for terms of court at Wichita Falls, Tex., and for a clerk for said court, and for other purposes,